

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3179 of 2022

Arising Out of PS. Case No.-200 Year-2021 Thana- BHAGWANPUR District- Vaishali

1. LAXAMI DEVI D/O LATE DEVENDRA SHARMA RESIDENT OF VILLAGE- SATPURA, P.S. BHAGWANPUR, DISTRICT- VAISHALI. AT PRESENT W/O MUNNA SHARMA, RESIDENT OF VILLAGE- BISHUNPUR, BEJHA, P.S. MAHUA, DISTRICT- VAISHALI
2. MINA DEVI D/O LATE DEVENDRA SHARMA RESIDENT OF VILLAGE- SATPURA, P.S.- BHAGWANPUR DISTRICT- VAISHALI. AT PRESENT W/O RANJEET SHARMA, RESIDENT OF VILLAGE- KARTAHA JAGDISHPUR, CHATURBHUI, P.S. KARTAHA, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

7 07-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 304(B), 201 and 34 of the Indian Penal Code.

The informant alleges that his daughter was married to the brother of the petitioners in the year 2006 and after marriage, it is alleged that dowry was being demanded and for non-fulfillment of the dowry demand, it is alleged that his daughter was killed.



Learned counsel for the petitioners submits that petitioners are persons with clean antecedent. Learned counsel further submits that the marriage admittedly was more than 15 years old and in between these 15 years no FIR or any complaint came to be instituted either by the deceased or the informant, which amply demonstrates that the accused persons including the petitioners had never demanded dowry nor had ever tortured the deceased or else the informant or the deceased, when alive, would have filed a case against the petitioners, it is also submitted that from the wedlock two children were born and when the occurrence took place, no one was present in the house including the children and when the children came from school, they saw their mother in an uncomfortable position and before they could inform anyone, she died. Learned counsel next submits that husband of the deceased has also filed an application seeking anticipatory bail vide Cr. Misc. No. 54349 of 2022, in which case diary has been called for and the case has been fixed for 21.12.2022. It is next submitted that the case of the petitioner is on a different footing from that of the husband of the deceased as the petitioners are sisters of the husband of the deceased and are married. It is next submitted that Shanti Devi (mother-in-law) was granted anticipatory bail by order



dated 20.10.2022 in Cr. Misc. No. 54427 of 2022

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bhagwanpur P.S. Case No. 200 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Harsh/Shubham-

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