

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(From The Official Chambers Via Video Conferencing)
CRIMINAL MISCELLANEOUS No.18021 of 2021**

Arising Out of PS. Case No.-273 Year-2020 Thana- HUSSAINGANJ District- Siwan

1. SARITA KUMARI @ SUNITA KUMARI D/O BABURAM YADAV
RESIDENT OF VILLAGE- BADKA TARILA, P.S.- M.H. NAGAR,
DISTRICT-SIWAN
2. RUBI KUMARI @ RUBY KUMARI @ GITA KUMARI @ GEETA
KUMAR D/O BABURAM YADAV RESIDENT OF VILLAGE- BADKA
TARILA, P.S.- M.H. NAGAR, DISTRICT-SIWAN
3. KRISHNA KUMAR YADAV @ KRISHNA YADAV SON OF BABURAM
YADAV RESIDENT OF VILLAGE- BADKA TARILA, P.S.- M.H.
NAGAR, DISTRICT-SIWAN

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Prabhakar Singh

For the Opposite Party/s : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 20-01-2022 Learned counsel for the petitioners is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioners as well as
learned APP for the State.

At the outset, learned counsel for the petitioners has

submitted that petitioner No. 3 Krishna Kumar Yadav, has been

arrested during pendency of the anticipatory bail petition. As

such, he wants to withdraw the petition.



Accordingly, the anticipatory bail petition in respect of petitioner No. 3 is dismissed as withdrawn.

The petitioners apprehend their arrest in connection with Hussainganj (M.H. Nagar) P.S. Case No. 273 of 2020, registered for the offences punishable under Sections 498, 304(B), 201/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The informant, Priti Kumari, is a younger sister of deceased, Khusbu Kumari. She lodged the FIR stating therein that marriage of her elder sister Khusbu Kumari, 24 years (deceased) was solemnized with co-accused Nagendra Yadav (in custody). The customary presents were given on the occasion of marriage but the matrimonial inmates were not satisfied. The accused persons named in the FIR including the petitioners made pressure upon the deceased to fulfill the demand of Rs. 5 lac cash. When she expressed inability she was tortured and assaulted by her matrimonial inmates. In the night at 8 pm on 29.09.2020, Khusbu Kumari called the informant by mobile phone and she apprised the informant that the behaviour of her matrimonial inmates was appeared some strange and she also expressed the suspicion of some untoward incident. In the next morning the informant got information from her brother who



was in Rajasthan, on telephone that the deceased was done to death.

Learned counsel for the petitioners has submitted that petitioner Nos. 1 and 2 are sisters-in-law of the deceased and they have no concern with dowry demand or dowry death.

FIR reveals that deceased herself has apprised her sister (informant) that accused persons were inflicting atrocities on expressing her inability to fulfill the demand of dowry of Rs. 5 lac cash and soon thereafter, she was dead in suspicious circumstances and the informant has got information that matrimonial inmates of the deceased have killed her.

In my view, it is not a fit case for anticipatory bail.

Accordingly, the prayer for anticipatory bail of petitioner Nos. 1 and 2 is rejected.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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