

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14598 of 2022

Arising Out of PS. Case No.-401 Year-2021 Thana- BIHTA District- Patna

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1. ARUN KUMAR Son of Raman Bhagat Resident of Village - Daulatpur, P.s.- Bihta, Distt.- Patna.
 2. Anisha Devi W/o Arun Kumar Resident of Village - Daulatpur, P.s.- Bihta, Distt.- Patna.
 3. Amit Kumar Son of Arun Kumar Resident of Village - Daulatpur, P.s.- Bihta, Distt.- Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Mahendra Ray Son of Raja Ram Ray Resident of Village - Tilputola, P.s.- Naubatpur, Distt.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 18-10-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners is directed to remove the defects within four weeks.

At the outset, learned counsel for the petitioners seeks permission to withdraw this application as against petitioner no.3, as during its pendency, he has been apprehended by the police.

Permission is granted.

This application with regard to petitioner no.3 is



dismissed as withdrawn. Now it is being heard for consideration of anticipatory bail as against petitioner nos.1 and 2.

Petitioners apprehend their arrest in a case registered for the offence punishable u/s 304(B), 341, 323, 201 and 34 IPC.

As per the F.I.R., informant has alleged that his daughter has been killed by her in-laws including the petitioners herein on account of non-fulfillment of demand of dowry.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is submitted that petitioner nos.1 and 2 are the cousin father-in-law and cousin mother-in-law of the deceased and they are living separately from the family of deceased. It is further submitted that husband of the deceased has already surrendered before the learned court below on 22.09.2022. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the husband of the deceased has already surrendered, let the above named petitioner nos.1 and 2, be released on bail, in



the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Bihta P.S. Case No.401 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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