

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15332 of 2022

Arising Out of PS. Case No.-432 Year-2021 Thana- SUGAULI District- East Champaran

1. LAL BABU PATHAK S/o Narayan Pathak Resident of Village- Andhara, P.S.- Adapur, District- East Champaran.
2. Dilip Pathak S/o Lal Babu Pathak Resident of Village- Andhara, P.S.- Adapur, District- East Champaran.
3. Pappu Pathak S/o Late Babu Pathak Resident of Village- Andhara, P.S.- Adapur, District- East Champaran.
4. Hema Devi W/o Dilip Pathak Resident of Village- Andhara, P.S.- Adapur, District- East Champaran.
5. Nisha Devi W/o Pappu Pathak Resident of Village- Andhara, P.S.- Adapur, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Dhannjay Kumar No 2
For the Opposite Party/s :	Mr. Abhay Kumar Roy
	Mr. Kundan Rathor

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-09-2022 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

The petitioners apprehends their arrest in a case registered for the offences punishable under Sections 302, 201 and 120(B) of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that his daughter was married to Bhola Mishra on 22.05.2015 and after four years of marriage, the accused persons



started assaulting and harassing his daughter regularly at the instigation of their neighbour Harish Chandra Mishra and Jay Chandra Mishra. Further, on 07.10.2021, the informant got an information that his daughter has been killed.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case and from perusal of the allegation as alleged in the FIR, it would manifest that the informant himself alleges that the deceased was being harassed and assaulted, four years after marriage, this amply demonstrates that the marriage of the deceased was peaceful prior to the allegation of harassment, it is also submitted that the FIR does not even remotely suggest as to why the deceased was being harassed or tortured, it is also submitted that there is no demand of any dowry and the husband of the deceased is in custody and the petitioners are maternal grandfather, maternal uncle and maternal aunt of the husband of the deceased, who are living separately from the family of the husband of the deceased.

Learned A.P.P. for the State and the learned counsel for the informant oppose the prayer for anticipatory bail of the petitioners, but are not able to meet the submissions of the learned counsel for the petitioners that no specific allegation has



been alleged against the petitioners and that husband of the deceased is in custody

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) 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 Saguali P.S. Case No. 432 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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