

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28420 of 2022

Arising Out of PS. Case No.-373 Year-2021 Thana- DIGHWARA District- Saran

1. Shiv Nath Rai @ Shevnath Chaudhary S/O Sitaram Chaudhary R/O Village- Majhauri, P.S.- Bidupur, District- Vaishali At Hajipur
2. Kiran Devi W/O Shiv Nath Rai @ Shevnath Chaudhary R/O Village- Majhauri, P.S.- Bidupur, District- Vaishali At Hajipur
3. Khusboo Kumari @ Khusboo Devi W/O Hari Rai R/O Village- Bharpura Baburouli, P.S.- Sonapur, District- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-11-2022 Heard learned counsel for the petitioners and
learned APP for the State.

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

It is a case of dowry death due to non fulfillment
of dowry demand.

It is submitted by learned counsel for the
petitioners that the petitioners are quite innocent and they
have falsely been implicated in the present case. It is further
submitted that the petitioners are in-laws of the deceased



and they are separate in mess and business from the husband of the deceased, namely Nitesh Kumar, since long. It is also submitted that the incident took place in course of preparing the meal which may be confirmed from the video footage, recorded at Dighwara Primary Health Centre, where the deceased had stated in her statement that the fire caught during the course of preparing meal. In para 3 of the supplementary affidavit, filed on behalf of the petitioners, it is mentioned that during the pendency of the aforesaid bail application the husband of the deceased namely, Nitesh Kumar, is in judicial custody since 21st of July, 2022. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

In the facts and circumstance of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate Ixth, Saran, Chapra in connection with Dighwara P.S. Case No. 373 of



2021, subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

nirajkrs/-

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