

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39627 of 2021

Arising Out of PS. Case No.-18 Year-2021 Thana- KORANSARAI District- Buxar

1. Raj Muni Devi @ Rajmuni Devi W/o Kamta Sah Resident of Village- Kanjharuan, P.S.- Koran Sarai, District- Buxar.
2. Kanchan Devi W/o Birbal Sah Resident of Village- Kanjharuan, P.S.- Koran Sarai, District- Buxar.
3. Indu Devi W/o Munshi Sah @ Munshi Kanu Resident of Village- Kanjharuan, P.S.- Koran Sarai, District- Buxar.
4. Munshi Sah @ Munshi Kanu S/o Kamta Sah Resident of Village- Kanjharuan, P.S.- Koran Sarai, District- Buxar.
5. Birbal Sah S/o Kamta Sah Resident of Village- Kanjharuan, P.S.- Koran Sarai, District- Buxar.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 18-04-2022 Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

The petitioners seek anticipatory bail in connection with Koran Sarai P.S. Case No. 18 of 2021, registered for the offence under Sections 304(B)/34 of the Indian Penal Code.

Learned counsel for the petitioner seeks permission to withdraw this bail application on behalf of petitioner no. 4,



namely Munshi Sah @ Munshi Kanu, is dismissed as withdrawn.

The petitioner no. 1 is the mother-in-law of the deceased, petitioner no. 2 and 3 are sister-in-law (Gotni) of the deceased and petitioner no. 5 is the brother-in-law (Bhaisur) of the deceased. At the very outset learned counsel for the petitioner submits that the petitioner no. 4 has been arrested during pendency of this Court.

So far as the petitioner no. 1 is concerned, she being the mother-in-law of the deceased who died within two and half months of marriage and there is direct allegation of torture and demand of dowry against her. Her application for anticipatory bail is dismissed.

Petitioner nos. 2 and 3 are similarly placed as deceased, being daughter-in-law themselves, considering the same their bail application is allowed.

Petitioner no. 5 is brother-in-law as stated earlier and in the opinion of this Court, he also deserves anticipatory bail as there is general and omnibus allegation against him.

Considering the aforesaid facts, this application for anticipatory bail on behalf of petitioner nos. 2, 3 and 5 is allowed.

Let the petitioner nos. 2, 3 and 5, above named, in the



event of their arrest/surrender within four weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist class, Buxar in connection with Koran Sarai P.S. Case No. 18 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sandeep Kumar, J)

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