

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31737 of 2022

Arising Out of PS. Case No.-28 Year-2022 Thana- JAMOBABAZAR District- Siwan

1. BHUTELI CHAUDHARY S/o Late Sitaram Chaudhary Resident of Village- Bahadurpur, P.S.- Jamo Bazar, District- Siwan
2. Gita Devi W/o Bhuteli Chaudhary Resident of Village- Bahadurpur, P.S.- Jamo Bazar, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-09-2022 Heard the parties.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under section 304(B)/201/34 of IPC.

Allegedly, the daughter of the informant was assaulted by her in-laws due to the non-fulfillment for demand of dowry. On 13.03.2022, husband of the victim reported the informant that her daughter had fled away some where. On receiving information, the informant and her family members got to know



that the dead body of the informant's daughter was lit to fire at Bahadurpur Kabristan. The petitioner no.1 was the mediator of the marriage between the parties, therefore he along with his wife has been made accused in the present case.

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. There is no specific overt act against the petitioners. The petitioner no.1 was mediator of the marriage and therefore, he alongwith his wife has been made accused in the present case. The petitioners have got no relation with the informant or other accused persons. The husband of the deceased is already in judicial custody. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioners, let the above named petitioners 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 Jamo Bazar P.S. Case No.28 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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