

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45689 of 2021

Arising Out of PS. Case No.-300 Year-2020 Thana- MIRGANJ District- Gopalganj

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1. Sushila Devi Wife Of Late Satan Yadav Resident of Village - Jingana Jagarnath Tola Rajghat, P.s.- Mirganj, Distt.- Gopalganj.
 2. Pramod Kumar Yadav Son of late Satan Yadav Resident of Village - Jingana Jagarnath Tola Rajghat, P.s.- Mirganj, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr.Raju Giri, Advocate
For the Opposite Party : Mr.Jagdhara Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 21-03-2022 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest in connection with Mirganj P.S. Case No.300 of 2020 registered for offences under Sections 304(B), 201 and 34 of the Indian Penal Code.

At the very outset, learned counsel for the petitioners submits that petitioner no. 2, namely, Parmod Kumar Yadav has been arrested during the pendency of this application. Hence, he prays for withdrawal of the application on behalf of petitioner



no. 2, namely, Parmod Kumar Yadav.

Prayer is allowed. The application for anticipatory bail is dismissed as withdrawn so far as petitioner no. 2, namely, Parmod Kumar Yadav is concerned.

In case petitioner no.2, namely, Parmod Kumar Yadav surrenders and prays for regular bail before the court below within a period of four weeks from today, the court below will consider the petition for regular bail of the petitioner without being prejudiced by the fact that anticipatory bail petition has been rejected by this Court. The court below will also consider the evidence which has come in paragraph 9 of the case diary while considering his regular bail application.

Considering the fact that marriage is of 2020 and there is direct allegation of demand of dowry and torture against the petitioner no.1, namely, Sushila Devi, who is the mother-in-law of the deceased, this Court is not inclined to grant anticipatory to her. Her application for anticipatory bail is rejected.

(Sandeep Kumar, J)

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