

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47055 of 2021**

Arising Out of PS. Case No.-113 Year-2021 Thana- SHAHKUND District- Bhagalpur

1. VISHUNDEV YADAV S/o VODE YADAV, R/o VILLAGE-JAGGARNATHPUR, P.S-SAJOUI, DISTRICT-BHAGALPUR.
2. SHUKHA DEVI @ SIKA DEVI W/o VISHUNDEV YADAV, R/o VILLAGE-JAGGARNATHPUR, P.S-SAJOUI, DISTRICT-BHAGALPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Rajive Ranjan Singh
For the Opposite Party/s :	Ms.Pushpa Sinha
	Mr. Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 06-07-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners and Mr. Shailendra Kumar, the learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Shahkund (Sajour) P.S. Case No. 113 of 2021 registered for offence punishable under section 304(B)/34 of the Indian Penal Code.

As per allegation, Sushma Devi, the daughter of the informant was married to co-accused Santosh Kumar. Sushma



Devi was issueless. Her husband was in job in Delhi and Sushma Devi was residing in village with her matrimonial inmates. As per allegation, Santosh Kumar used to send money for expenses of his wife, but that money was not provided by the petitioners to the deceased. On 12.04.2021, the informant heard from his son that the accused persons burnt Sushma Devi alive. He rushed to her matrimonial house and he found the petitioners absconding.

The learned counsel for the petitioners has submitted that the petitioners are father-in-law and mother-in-law of the deceased and they live separately having no concern with the affairs of the husband and wife. He has also submitted that there no is allegation of demand of dowry in the FIR.

On the other hand, the learned APP has submitted that as per post mortem, 80% burnt was found on the body of the deceased. There is allegation in the FIR that when the husband transmits money for daily expenses of the deceased, the petitioners kept that money without providing her. The son of the informant apprised that the deceased was done to death at the hands of the accused persons. When the informant went there, the petitioners had absconded.

Considering the above-mentioned facts and



circumstances, it is not a fit case for anticipatory bail and accordingly the prayer for anticipatory bail is rejected.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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