

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4393 of 2023**

Arising Out of PS. Case No.-328 Year-2021 Thana- NAWADA District- Nawada

1. ARJUN PRASAD Son of Late Chunni Sao Resident of Mohalla- Kanhai Nagar, Near 3 number, Bus Stand, P.S.- Nawada (Town), District- Nawada
2. ASHARFI DEVI Wife of Arjun Prasad Resident of Mohalla- Kanhai Nagar, Near 3 number, Bus Stand, P.S.- Nawada (Town), District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Om Prakash Srivastav, Advocate  
For the Opposite Party/s : Md. Mushtaque Alam, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      25-05-2023                      Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

The accused/petitioners are named in F.I.R and apprehending their arrest in connection with Nawada Nagar P. S. Case No. 328 of 2021 registered for the offences punishable under Section 304-B of the Indian Penal Code.

The allegation against these petitioners is to cause death of daughter of informant, along with other co-accused persons/family members, due to non-fulfillment of demand of



dowry as raised for a four wheeler.

Learned counsel appearing on behalf of the petitioners submitted that both petitioners are in-laws and living separately, having no connections with daily and domestic affairs with the deceased and her husband. It is submitted that deceased prior to her death, was hospitalized on three different occasions due to fever and other complicity arises out of her pregnancy, where she died during treatment and as a matter of afterthought, petitioners were implicated only for the reason that they are in-laws of the deceased. It is further submitted that both petitioners are persons of clean antecedent.

Learned APP duly assisted by learned counsel, Mr. Bipin Kumar, while opposing the prayer of bail submitted that prior to this occurrence, a complaint case was filed by the deceased making the accused petitioner no.1 for outraging her modesty which was registered as Complaint Case No. 290(C) of 2021.

By taking note of submissions as made by learned counsel for the informant, it is submitted by learned counsel appearing on behalf of the petitioners that the aforesaid complaint case has already dismissed under Section 203 of the Cr.P.C.



Considering the aforesaid facts and circumstances and by taking note of the facts as both petitioners are in-laws, living, *prima facie*, separately, having clean antecedents, accordingly both above named petitioners, in the event of their arrest or surrender before Court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada/concerned Court, in connection with Nawada Nagar P. S. Case No. 328 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

R.S.Sen/-

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