

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2655 of 2023

Arising Out of PS. Case No.-321 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. SHAMBHOO SHARMA Son of Tilak Sharma Resident of Village- Dumri,
P.S.- Muffasil, District- Begusarai
 2. LAXMI KUMARI Wife of Sanjeet Sharma Resident of Village- Dumri, P.S.-
Muffasil, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohit Shriwastava, Adv.
For the Opposite Party/s : Mr.Kanhaiya Kishore, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-02-2023 Heard learned counsel for the petitioners and learned A.P.P.
for the State.

The petitioners apprehend their arrest in a case registered for
the offences punishable under Sections 498A, 302, 304(B), 120(B)
and 34 of the Indian Penal Code.

Allegedly, the petitioners are said to have murdered the
informant's sister in association of his family members over the
dowry demand.

It is submitted by learned counsel for the petitioners that
petitioner no.1 is husband and petitioner no.2 is sister-in-law of the
deceased. Petitioners are quite innocent and have committed on
offence. No such occurrence as alleged ever took place. Petitioners
have been falsely implicated in this case. The allegation levelled
against the petitioners is not specific rather general and omnibus in



nature. It is further submitted that after investigation, the police had filed the final form against these two petitioners and the Court below accepted the final form. After framing of charge, the learned Court below u/s. 193 Cr.P.C. issued summons against these two petitioners. No independent witness has supported the case of the petitioners and they also not took the name of the petitioners. Learned counsel for the petitioners further submits that in course of investigation, the CDR of the petitioner no.1 from 20.06.2020 to 30.06.2020 shows that he was in Delhi. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, 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 lower Court where the case is pending/successor Court in connection with Muffasil (Singhauli O.P.) P.S. Case No.321 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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