

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7501 of 2023
Arising Out of PS. Case No.-151 Year-2021 Thana- SIKTA District- West
Champanan

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1. Ashok Patel Son Of Kapildeo Patel R/O Village- Mangalpur, P.S.- Sikta,
District- West Champanan
 2. Shambhu Patel Son Of Kapildeo Patel R/O Village- Mangalpur, P.S.- Sikta,
District- West Champanan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Namrata Mishra
For the Opposite Party/s	:	Ms. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-05-2023

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 302, 201 and 34 of the Indian Penal Code.

As per the prosecution case, allegation against the petitioners is that they along with other co-accused persons killed the sister-in-law of the informant due to non-fulfillment of dowry demand.

Learned counsel for the petitioners submits that 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. She submits that the petitioner are in-laws (*Bhaisur*) of the deceased. There is no specific overt act against the petitioners.



She submits that the husband of the deceased is already in judicial custody. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Considering the facts and circumstances of the case and the fact that there is no specific overt act against these 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 lower Court where the case is pending/successor Court in connection with Sikta P.S. Case No.151 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Learned court below is directed to verify the fact that the husband of the deceased is in judicial custody or not, if the husband of the deceased is not in judicial custody, the bail of the petitioners shall not be accepted by the learned court below.

(Anjani Kumar Sharan, J)

anand/-

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