

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16170 of 2023

Arising Out of PS. Case No.-244 Year-2022 Thana- HARSIDHI District- East Champaran

1. RAMAAN PRASAD @ RAMAYAN PRASAD S/O Late Bilash Prasad R/V- Dudahi, P.S.- Harsidhi, District- East Champaran
2. KANCHANI DEVI @ KANEHANI DEVI W/O Ramayan Prasad @ Ramaan Prasad R/V- Dudahi, P.S.- Harsidhi, District- East Champaran
3. KAVITA DEVI W/O Chandan Prasad R/V- Dudahi, P.S.- Harsidhi, District- East Champaran
4. CHANDAN PRASAD S/O Ramayan Prasad @ Ramaan Prasad R/V- Dudahi, P.S.- Harsidhi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 28-07-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 304B 302, 34 of the Indian Penal Code.
3. Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner No. 1.
4. Permission is accorded.
5. Learned counsel for the petitioners next submits that petitioners are persons with clean antecedent and being mother-in-



law, sister-in-law (gothni) and brother-in-law has been falsely implicated in the present case.

6. It is next submitted that the informant alleges that his daughter was married to the son of Raman Prasad in the year 2017 and after marriage the accused persons were demanding dowry and on account of non-fulfillment of the demand it is alleged they strangled the deceased to death.

7. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that since the husband was living outside which led to frustration in the victim and she committed suicide, it is next submitted that the informant is well aware of the fact that his daughter committed suicide, it is also submitted that the informant has not implicated the husband as an accused in the present case, but alleges that the accused persons strangled his daughter for non-fulfillment of dowry demand but then informant is not an eye-witness to the occurrence, as such, it absolutely does not stand to reason that on what basis he alleges that the accused persons strangled his daughter, it is further submitted that it appears that the informant, in connivance with his son-in-law, is trying to coerce the petitioners into submission to part away with their property, it is also submitted that it is the duty of the husband to ensure the well being of his wife. It is next submitted that forsake of argument it is being submitted that if the husband would have taken good care of the deceased then



perhaps the present occurrence would not have taken place, but then for reasons best known the informant chooses not to implicate him. It is next submitted that petitioners will not abscond rather will cooperate in the investigation.

8. Learned A.P.P. for the State along with the learned counsel for the informant opposes the prayer for anticipatory bail of the petitioners but are not in a position to rebut the submission of the learned counsel for the petitioners that husband is not an accused in the case and informant is not an eye-witness to the occurrence.

9. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Harsidhi P.S. Case No. 244 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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