

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18944 of 2023

Arising Out of PS. Case No.-223 Year-2018 Thana- SISWAN District- Siwan

1. KIRAN KUMARI D/o Rama Shankar Singh Resident of Village-Bakhari Nawalpur, P.S.-Siswan, District-Siwan
2. LATA DEVI @ PREMLATA DEVI W/o Vijay Singh @ Vijay Kumar Singh Resident of Village-Bakhari Nawalpur, P.S.-Siswan, District-Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Maheshwar Prasad
For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-06-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 328, 304B and 34 of the Indian Penal Code.

As per the prosecution case, the sister of the informant was married to Ajay Kumar Singh in the year 2018 and after marriage, the accused persons named in the F.I.R. started demanding a sum of Rs. 2,00,000/- as dowry and due to non fulfillment of the said demand, the sister of the informant has been killed.

Learned counsel for the petitioners submits that



the petitioners are innocent and have falsely been implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that the petitioner no 1 is unmarried *Nanad* of the deceased and the petitioner no. 2 is *Gotni* of the deceased. He further submits that the husband of the deceased has been granted bail by a co-ordinate bench of this court vide Cr. Misc. No. 30953 of 2021 on the basis that he is not present at the place of occurrence. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Having regard to the facts and circumstances of the case and the fact that petitioner no. 1 is unmarried, let the above named petitioner no.1, be released on bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Siswan P.S. Case No. 223 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



Considering the facts and circumstances of case and the fact that there is specific overt act against petitioner no. 2, I am not inclined to enlarge petitioner no.2 on anticipatory bail. The prayer for anticipatory bail of the petitioner no. 2 is hereby rejected.

Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

anand/-

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