

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19572 of 2023

Arising Out of PS. Case No.-235 Year-2021 Thana- BHANGWANPUR HAT District- Siwan

1. Jaglal Sah Son of Late Ramjeet Sah @ Ramjee Sah R/o Village- Rampur Pandey Tola, PS- Bhagwanpur, Hat District- Siwan.
2. Sushila Kunwar Wife of Late Ramjeet Sah @ Ramjee Sah R/o Village- Rampur Pandey Tola, PS Bhagwanpur, Hat District- Siwan.
3. Dharmendra Sah @ Dharmendra Kumar Son of Late Ramjeet Sah @ Ramjee Sah R/o Village- Rampur Pandey Tola, PS Bhagwanpur, Hat District- Siwan.
4. Delip Sah @ Delip Kumar Son of Late Ramjeet Sah @ Ramjee Sah R/o Village- Rampur Pandey Tola, PS Bhagwanpur, Hat District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Nath Dubey
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 27-06-2023 At the outset, learned counsel for the petitioner seeks permission to withdraw this anticipatory bail application in respect of petitioner no.1, Jaglal Sah as he has already surrendered before the learned court below and the learned court below has granted him bail.

Permission is granted.

Accordingly, this anticipatory bail application is dismissed as withdrawn so far as petitioner no.1, Jaglal Sah is concerned.

Now, this anticipatory bail application survives only



against petitioners no.2, 3 and 4, namely, Sushila Kunwar, Dharmendra Sah @ Dharmendra Kumar and Delip Sah @ Delip Kumar.

Heard both sides.

Petitioners apprehend their arrest in connection with Bhagwanpur P.S. Case No.235 of 2021, registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

Accusation against the petitioners and other co-accused persons is of killing the daughter of the informant for non-fulfillment of demand of additional dowry.

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. The petitioners have got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that there is general and omnibus allegation against the petitioners and they are in-laws of the deceased. It is also submitted that the petitioners have no manner of concern with the family affairs of the deceased and her husband.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioners.

Considering the nature of offence, I am not inclined to



enlarge the petitioners on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to the petitioners is hereby rejected.

However, if petitioners surrender before the learned court below within a period of six weeks from today and pray for regular bail, the learned court below shall consider the prayer for regular bail of the petitioners preferably on the same day without being prejudiced by this order of rejection considering the re-statement of the informant.

(Anjani Kumar Sharan, J)

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