

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23425 of 2023

Arising Out of PS. Case No.-833 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. HARI SAH @ HARIKISHORE SAH SON OF RAGHO SAH Resident of village - Madhubani Ghat, P.S. - Muffasil, Distt. - East Champaran
 2. MURARI SAH SON OF RAGHO SAH Resident of village - Madhubani Ghat, P.S. - Muffasil, Distt. - East Champaran
 3. ASHA DEVI WIFE OF HARI SAH @ HARIKISHORE SAH Resident of village - Madhubani Ghat, P.S. - Muffasil, Distt. - East Champaran
 4. NEELAM DEVI WIFE OF MURARI SAH Resident of village - Madhubani Ghat, P.S. - Muffasil, Distt. - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2, Advocate

For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-06-2023 Heard the learned counsel for the petitioners and
the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Muffasil PS case no. 833 of 2022, registered for the offences punishable under Sections 304(B), 201/34 of the Indian Penal Code.

The allegation is regarding the accused persons having killed the deceased victim lady on account of non-fulfilment of the demand for dowry.

The learned counsel for the petitioners submits



that the petitioners are innocent, they have been falsely implicated in the present case and are having clean antecedent. The learned counsel for the petitioners has further submitted that the petitioners are cousin father-in-laws and mother-in-laws of the deceased victim lady and they have nothing to do with the alleged occurrence and in fact, no specific allegation has been levelled *qua* them. It is also submitted that the husband of the deceased victim lady is already behind bars, hence, no prejudice would be caused to the prosecution, in case the petitioners are granted the privilege of anticipatory bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioners are cousin father-in-laws and mother-in-laws of the deceased victim lady, no specific allegations have been levelled *qua* them apart from the fact that the husband of the deceased victim lady is already behind bars, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the abovenamed petitioners, in the event



of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Motihari, East Champaran in connection with Muffasil PS case no. 833 of 2022, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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