

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30952 of 2023

Arising Out of PS. Case No.-272 Year-2022 Thana- PAHARPUR District- East Champaran

1. ARVIND PRASAD @ ARVIND KUMAR Son of Binod Prasad @ Vinod Prasad Resident of Village - Noneya Chaubey Tola, P.S.- Paharpur, District - East Champaran.
2. Puja Kumari Daughter of Vinod Prasad Resident of Village - Noneya Chaubey Tola, P.S.- Paharpur, District - East Champaran.
3. Saraswati Devi Wife of Vinod Prasad Resident of Village - Noneya Chaubey Tola, P.S.- Paharpur, District - East Champaran.
4. Rinki Devi @ Rimmi Kumari Wife of Arvind Prasad Resident of Village - Noneya Chaubey Tola, P.S.- Paharpur, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kant Mani Tripathi, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 14-07-2023 1. Heard the learned counsel for the petitioners and the learned A.P.P. for the State.
2. The petitioners apprehend their arrest in connection with Paharpur P.S. Case No. 272 of 2022, registered for the offences punishable under Sections 304(B), 201/34 of the Indian Penal Code.
3. The accused persons are alleged to have killed the daughter of the informant by strangulating her on account of non-fulfillment of the demand for dowry, whose marriage is stated to



have been solemnized with one Premchandra Prasad.

4. The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that while the petitioner no. 1 is nephew of the husband of the deceased victim lady, the petitioner no. 2 is his niece, the petitioner no. 3 is his sister-in-law and the petitioner no. 4 is his cousin daughter-in-law, hence they are not having any complicity in the present case. Nonetheless, it is submitted that the petitioners be granted the privilege of bail subject to the main accused person, namely, Premchandra Prasad surrendering before the learned court below.

5. Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. 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 on record as also considering the fact that the petitioners are stated to be the in-laws of the victim lady and are stated to be living separately from the deceased victim lady and her husband, though I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail, however, subject to them producing proof of surrender of the main accused person namely, Premchandra Prasad, before the learned court of A.C.J.M.-XI, East Champaran, Motihari in connection with Paharpur P.S. Case No. 272 of 2022 and further subject to such other conditions as may be deemed fit and proper to be imposed by the learned trial court.

7. The petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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