

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32646 of 2023

Arising Out of PS. Case No.-339 Year-2022 Thana- ASHTHAWAN District- Nalanda

1. Sheo Balak Yadav Son Of Late Baleshwar Gope Resident Of Village- Lakhichak, Ps- Noorsarai, Distt- Nalanda
2. Shaila Devi Wife Of Sheo Balak Yadav Resident Of Village- Lakhichak, Ps- Noorsarai, Distt- Nalanda

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha
For the Opposite Party/s : Mr. Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

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

Learned counsel for the petitioners seeks permission
to withdraw this application as against the petitioner no.2 as he
has already been arrested by the police, during pendency of this
application.

Permission is granted.

Accordingly, the instant application as against the
petitioner no.2 is dismissed as withdrawn.

Now, this application is being heard for
consideration of anticipatory bail as against the petitioner no.1
only.

Heard learned counsel for the petitioner no.1 and



learned APP for the State.

The petitioner no.1 is apprehending her arrest in a case registered for the offence punishable under Sections 341, 323, 504, 506, 109 and 498(A)/34 of the Indian Penal Code and Section 3/4 of the D.P. Act and subsequently Sections 304(B), 328 and 120(B)/34 of the I.P.C. was added which is pending in the learned court below.

As per the prosecution case, all the accused persons are said to have tortured and committed atrocity upon the deceased on non-fulfillment of demand of the dowry..

Learned counsel for the petitioner no.1 submits that the petitioner no.1 is innocent and has been falsely implicated in this case. He further submits that petitioner no.1 is father-in-law of the deceased and husband of the deceased is already in judicial custody. He submits that there is no specific overt act against the petitioner no.1. He further submits that petitioner no.1 has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner no.1, named above, in the event of his arrest/surrender before the learned court below within a period



of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Asthawan P.S. Case No.339/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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