

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38008 of 2023

Arising Out of PS. Case No.-1189 Year-2022 Thana- JAHANABAD District- Jehanabad

MANTIYA DEVI Wife of Kapil Yadav R/o Village - Dagra Milkipar, P.S.-
Sikariya, District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 38420 of 2023

Arising Out of PS. Case No.-1189 Year-2022 Thana- JAHANABAD District- Jehanabad

GANESH YADAV @ GANESH KUMAR Son of Akal Yadav Resident of
Village - Dagra Milkipar, P.S.- Sikariya, District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 38008 of 2023)

For the Petitioner/s : Mr. Dharendra Kumar Sinha

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

(In CRIMINAL MISCELLANEOUS No. 38420 of 2023)

For the Petitioner/s : Mr. Dharendra Kumar Sinha

For the Opposite Party/s : Mrs. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-08-2023 As both these bail applications have cropped up from the same police station case number, hence, with consent of parties, they are being heard together and disposed of by this common order.

2. Heard learned counsel for the petitioners as well as learned APP for the State.



3. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 323, 341, 307, 326, 498(A)/34 and 304(B) of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

4. The allegation against the petitioners is that they are involved in the murder of the deceased, namely, Sweety Kumari on the pretext of non-fulfillment of demand for dowry.

5. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. Petitioner namely, Mantiya Devi is the mother-in-law of the deceased whereas the petitioner namely, Ganesh Yadav @ Ganesh Kumar is the co-villager of the deceased and the allegation levelled against them is not specific rather general and omnibus in nature. The specific allegation is against the husband of the deceased namely, Guddu Kumar to pour wine in the mouth of the deceased and set her on fire. He further submits that the husband of the deceased is already in judicial custody. Petitioners have no criminal antecedent.

6. Learned APP for the State opposed the prayer for anticipatory bail.



7. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their 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) **each** 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 Jehanabad (Sikariya O.P.) P.S. Case No.1189 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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