

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41126 of 2023

Arising Out of PS. Case No.-95 Year-2023 Thana- BARHARA District- Bhojpur

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1. Rita Devi Wife Of Brahma Shankar Prasad Resident Of Village- Piparpanti, Ps- Krishnagarh Op, Distt- Bhojpur, At Ara
 2. Brahma Shankar Prasad @ Verma Shankar Prasad Son Of Jawahir Prasad Resident Of Village- Piparpanti, Ps- Krishnagarh Op, Distt- Bhojpur, At Ara
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Learned counsel for the petitioners has produced a certified copy of surrender of the husband of the deceased before the learned Court below, in the Court today.

3. Let it be kept on record.

4. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 498 and 304(B) of the Indian Penal Code and Section 3 of the Dowry Prohibition Act.

5. The petitioners along with other accused persons are said to have committed murder of the daughter of the informant, due to non fulfillment of the dowry demand.

6. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this



case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that the petitioner no. 1 is *Jethani* and petitioner no. 2 is *Bhashur* of the deceased. He further submits that the husband of the deceased has surrendered before the learned Court below on 11.08.2023. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

7. Learned APP for the State opposes prayer for anticipatory bail.

8. Having regard to the facts and circumstances of the case and the fact that 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 lower Court where the case is pending/successor Court in connection with Barhara P.S. Case No.95 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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