

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45521 of 2023

Arising Out of PS. Case No.-64 Year-2023 Thana- BIRPUR District- Supaul

1. Bachha Miya Son Of Late Timay Miya R/O Bhagwanpur, Ward No. 06, Ps-Birpur, Dist- Supaul.
2. Rehana Khatoon Wife Of Bachha Miya R/O Bhagwanpur, Ward No. 06, Ps-Birpur, Dist- Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-08-2023 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

3. As per the prosecution, a case has been lodged against 30 named accused persons, including the present petitioner, who are family members of the deceased. A general and omnibus allegation has been made against all the accused persons that they have killed the daughter-in-law of the informant by strangulating her neck. There was demand of dowry from her and allegation of assault is also there in the FIR.

4. It is submitted by learned counsel for the petitioners that petitioners are innocent and have committed no offence. Counsel for the petitioners submits that petitioner no.1 and 2 are the father-in-law and mother-in-law of the deceased. Counsel

submits that the husband of the deceased is already in custody after his surrender on 05.04.2023. He submits that the present petitioners are living separately from the deceased and her family members. He also submits that petitioners have no concern with the deceased in any manner.

5. Learned APP for the State opposes the prayer for bail and submits that this is a case under Section 304(B) of the Indian Penal Code but simultaneously admits that the defence has been taken by the petitioners that they are residing separately from their deceased daughter-in-law.

6. In the present facts and circumstances, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond of Rs. 30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Birpur at Supaul, in connection with Birpur P.S. Case No.64 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

Ashishsingh/-

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