

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47133 of 2023

Arising Out of PS. Case No.-387 Year-2022 Thana- KALYANPUR District- Samastipur

1. Pappu Kumar, Son of Ram Shresth Rai, Resident of Village- Janardanpur, Ps- Kalyanpur, Distt- Samastipur
2. Ram Babu Ray, Son of Late Raghubar Ray, Resident of Village- Janardanpur, Ps- Kalyanpur, Distt- Samastipur
3. Sanjay Kumar, Son of Ram Babu Ray, Resident of Village- Janardanpur, Ps- Kalyanpur, Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Kalyanpur P.S. Case No. 387 of 2022 instituted under Sections 304 (B)/34 and 201 of the Indian Penal Code.

3. As per the prosecution case, the marriage of the daughter of informant was solemnized with co-accused Guddu Kumar on 28.04.2016. The allegation against the accused persons is that they were demanding dowry and for that purpose, they killed the daughter of the informant by administering poison.



4. Learned counsel for the petitioners submits that the allegation of demand of dowry and torture against the petitioners are general and omnibus. Petitioner No. 1 is brother-in-law of the victim and petitioner Nos. 2 and 3 are Gotiya of the husband of the victim, they are residing in Delhi and Bokaro Steel City (Jharkhand) respectively. He further submits that the alleged occurrence was taken place on 12.06.2019 and complaint petition was filed on 02.08.2019 without any reasonable explanation. The F.I.R. has been lodged on 02.12.2022. There is no material against the petitioners. Petitioners have no criminal antecedent. He also submits that the informant has accepted that she has filed the case against the petitioners in misconception.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to each to the satisfaction of the learned Judicial Magistrate, Ist Class, Samastipur in connection with



Kalyanpur P.S. Case No. 387 of 2022, subject to the conditions
laid down in Section 438(2) of the Code of Criminal Procedure,
1973.

(Sunil Dutta Mishra, J)

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