

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48027 of 2023

Arising Out of PS. Case No.-410 Year-2021 Thana- PAROO District- Muzaffarpur

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1. Anil Kushwaha S/o Late Vishwanath Bhagat R/o Village- Paroo Kasba, PS. Paroo, Distt. Muzaffarpur.
 2. Daulatiya Devi W/o Late Vishwanath Bhagat R/o Village- Paroo Kasba, PS. Paroo, Distt. Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ragini Devi W/o Birendra Bhagat R/o Village- Thengpur, PS. Paroo, Dist. Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Adv.
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-08-2023 Heard Mr. Mukesh Kumar, learned counsel for the

petitioners and learned APP for the State.

2. The petitioners, who are brother-in-law and mother-in-law, respectively of the deceased are apprehending their arrest in connection with Paroo P.S. Case No. 410 of 2021 registered for the offences punishable under Sections 304B, 201, 120B/34 of the Indian Penal Code.

3. Allegedly the marriage of the daughter of the informant was solemnized in the year 2018. However, soon after the marriage, she was subjected to demand of dowry and on account of non-fulfillment of the same, she was done to death



by the FIR named and 4-5 unknown accused persons.

4. Learned counsel for the petitioners submits that the petitioners have no concern with the affairs of the deceased and her husband, who are separate in mess and property. He further submits that even as per the FIR, no specific allegation has been levelled against the petitioners and, moreover, during the course of investigation, it has come that the deceased herself left her matrimonial home and with that regard the husband of the daughter of the informant had made a complaint to the police on 16.10.2021. He next submits that now the husband of the deceased is already in the judicial custody against whom the thrust of accusation is made. He lastly submits that the other family members of the petitioners have been allowed the privilege of anticipatory bail by the learned Co-ordinate Bench of this Court vide Annexure-2.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the fact that the petitioners are separate in mess and property, apart from their fair antecedent and the fact that others have been allowed the privilege of pre-arrest bail, 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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Paroo P.S. Case No. 410 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C., with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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