

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47213 of 2022

Arising Out of PS. Case No.-40 Year-2022 Thana- NAUTAN District- West Champaran

1. PRABHU SHARMA SON OF LATE MUNNI SHARMA R/O VILLAGE- KHADDA BANGALA TOLA, P.S.- NAUTAN, DISTRICT- WEST CHAMPARAN
2. RENU DEVI WIFE OF SANIL SHARMA R/O VILLAGE- KHADDA BANGALA TOLA, P.S.- NAUTAN, DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

8 06-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 304(B), 302/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and are father-in-law and Sister-in-law of the deceased. The learned counsel next submits the husband of the deceased has not been implicated as an accused in the FIR though it is alleged that after marriage the husband of the deceased left for some other state for earning and the petitioners were torturing the deceased for dowry and on



account of non-fulfillment of the demand, it is alleged that she was killed.

The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that from perusal of the postmortem report, it would manifest that ligature marks was found on the neck of the deceased which amply demonstrates that she committed suicide as her husband was not staying with her. It is further submitted that no specific allegation of demand and torture is alleged and the informant is not an eye-witness to the occurrence, it is also submitted that petitioners will not abscond rather will cooperate in the investigation and will present themselves as and when required by the Investigating Officer for eliciting the truth.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where



the case is pending/successor court in connection with Nautan P.S. Case No. 40 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that petitioners despite giving assurance to this Court are not cooperating in the investigation or are not presenting themselves as and when required the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

Let a copy of this order be sent to the concerned P.S. through the learned trial court. It is further made clear that in the event if the charge-sheet is submitted connecting the petitioner with the offence after investigation the present anticipatory bail order shall loose its effect.

(Satyavrat Verma, J)

Adnan/-

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