

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47845 of 2022

Arising Out of PS. Case No.-124 Year-2020 Thana- MORKAHI District- Khagaria

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BINDESHWARI SHARMA Son of Late Musharu Sharma Resident of Village
- Kodraha Laxmipur, P.s.- Kusheshwar Asthan, Distt.- Darbhanga. At Present
- Resident of Bariyahi, Pokhar Badhouta, P.s.- Morkahi, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Mishra,Advocate

For the Opposite Party/s : Mr.Rajeev Nayan,APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-01-2023 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection with Morkahi P.S. Case No. 124 of 2020 for the offence registered under Sections 304(B), 201 and 34 of the Indian Penal Code.

As per the prosecution story, the informant alleged that his daughter Manisha Devi was married to the son of the petitioner in 2016 but she was tortured for dowry and on the fateful day, he came to know that she has been killed by putting her on fire.

Learned counsel for the petitioner submits that his father-in-law, an aged person, had nothing to do with the affairs of the couple and only because he belongs to the said family, his



name has been incorporated in the list of accused. The further submission is that the husband of the deceased is already in jail as stated in paragraph 19 of the present petition.

Learned APP for the State, on the other hand, opposes the prayer for bail.

Taking into account the fact that the petitioner do not have any criminal antecedent, is an aged person, the husband is in jail and he is the father-in-law, this Court is inclined to grant him privilege of anticipatory bail with condition that he shall be available before the police as and when required in course of investigation.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, Khagaria in connection with Morkahi P.S. Case No. 124 of 2020 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha/-

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