

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49481 of 2023

Arising Out of PS. Case No.-101 Year-2023 Thana- GUTHANI District- Siwan

1. BASANTI DEVI W/O LATE BASHISHTHA BHAGAT R/O VILLAGE-GARERIYA, P.S- GUTHANI, DISTT.- SIWAN.
2. NEHA KUMARI D/O LATE BASHISHTHA BHAGAT R/O VILLAGE-GARERIYA, P.S- GUTHANI, DISTT.- SIWAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary
For the Opposite Party/s : Mr. Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-09-2023 Heard learned counsel for the petitioners as well as learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 304B and 34 of the Indian Penal Code.

3. Allegedly, the petitioners are said to have killed the niece of informant on the pretext of non-fulfillment of demand for dowry.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The



allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. He further submits that the petitioners are the in-laws of the deceased and the husband of the deceased is already in judicial custody. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioners, 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 six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Guthani P.S. Case No.101 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. However, the learned Court below is directed to verify that the husband of the deceased is in judicial custody or not. If it is found that the husband of the deceased is not in judicial custody then the bail bond of the petitioners shall not be



accepted.

8. This application is, accordingly, disposed of.

(Anjani Kumar Sharan, J)

shikha/-

U		T	
---	--	---	--

