

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53207 of 2023

Arising Out of PS. Case No.-601 Year-2022 Thana- SHAHPUR PATORI District- Samastipur

1. RAM BILASH RAM SON OF SARYUG RAM R/O VILL DUMRI PS SAHPUR PATORI MOHANPUR OP, DIST- SAMASTIPUR
2. SANTOSH RAM @ SANTOSH KUMAR RAM SON OF NAGINA RAM R/O VILL DUMRI PS SAHPUR PATORI MOHANPUR OP, DIST- SAMASTIPUR
3. SUBODH RAM @ SUMAN KUMAR RAM SON OF JOGINDRA RAM R/O VILL DUMRI PS SAHPUR PATORI MOHANPUR OP, DIST- SAMASTIPUR
4. CHANDA DEVI WIFE OF DINESH RAM R/O VILL DUMRI PS SAHPUR PATORI MOHANPUR OP, DIST- SAMASTIPUR
5. NAGINA RAM SON OF JOGINDRA RAM R/O VILL DUMRI PS SAHPUR PATORI MOHANPUR OP, DIST- SAMASTIPUR
6. SHIVCHANDRA RAM SON OF RUPLAL RAM R/O VILL DUMRI PS SAHPUR PATORI MOHANPUR OP, DIST- SAMASTIPUR
7. DINESH RAM SON OF JOGINDRA RAM R/O VILL DUMRI PS SAHPUR PATORI MOHANPUR OP, DIST- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 25-08-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Shahpur Patori P.S. Case No. 601 of 2022 registered for the offences punishable under Sections 304(B), 201, 120(B) of the Indian Penal Code.



3. As per prosecution case, petitioners and other committed the murder of complainant/informant's daughter on account of non-fulfillment of demand of dowry.

4. Learned counsel for the petitioners submits that initially complaint was filed under Section 304(B), 201, 120(B) of I.P.C. on 07.02.2014 and the Court has passed the order on the same day to institute the F.I.R. under Section 156(3) of Cr.P.C. Learned counsel further submits that petitioner no. 1 is father-in-law of the deceased and petitioner no. 2 to 7 are cousin-in-law of the deceased and they are living separately from the mess and business of the husband of the deceased. They have nothing to do with the alleged occurrence. Learned counsel further submits that the deceased died due to natural cause and in the light of the said facts and circumstances of the case, no case is made out under Section 304(B) of the I.P.C. Learned counsel further submits that complaint case was filed by the complainant on 07.02.2014 with regard to the incident dated 16.05.2013 to 26.01.2014 and on that basis F.I.R. was lodged on 15.12.2022. There is inordinate delay in filing the complaint case without giving any satisfactory explanation. Petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. Petitioners



bear no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, petitioners are living separately from the mess and business of the husband of the deceased, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate Ist Class, Samastipur in connection with Shahpur Patori P.S. Case No. 601 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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