

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53096 of 2022

Arising Out of PS. Case No.-188 Year-2021 Thana- SAHPUR District- Patna

1. BHAWANI RAI Son of Murat Rai Resident of Village - Hatanpur Naya Dera, P.s.- Shahpur, Distt.- Patna.
2. Savita Devi W/o Bhawani Rai Resident of Village - Hatanpur Naya Dera, P.s.- Shahpur, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary, Adv.

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 16-03-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State.

Learned counsel for the petitioners seeks permission to withdraw this application in respect of petitioner no.2, submitting that during pendency of this application petitioner no.2 has been apprehended by the police.

Permission is granted.

Accordingly, this application is dismissed as withdrawn in respect of petitioner no.2 only.

Now this application survives for petitioner no.1 only.

Learned counsel for the petitioner undertakes to remove the defect (s), as pointed out by the office, within a period of



four weeks.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 304(B)/34, 120(B) of the Indian Penal Code.

Allegedly, petitioner with the help of other family members committed murder of the informant's daughter over the dowry demand.

It is submitted by learned counsel for the petitioner that petitioner is father-in-law of the petitioner. Petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that petitioner has been living separately from his son for five years. Learned counsel for the petitioner submitted that a supplementary affidavit has been filed on 14.03.2023 in which it is stated that the husband of the Opposite Party No.2 has surrendered before the learned Court below which is mentioned in Annexure-II. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case,



let the petitioner no.1, be released on bail, in the event of his 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) 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 Shahpur P.S. Case No. 188 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Accordingly this application stands partly allowed.

(Anjani Kumar Sharan, J)

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