

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55728 of 2023

Arising Out of PS. Case No.-19 Year-2023 Thana- SAKATPUR District- Darbhanga

1. Shankar Dhankar S/O Dahorwa Dhankar @ Doharwa Dhankar R/O Village- Sakatpur, P.S- Sakatpur, Distt.- Darbhanga.
2. Dahorua Dhankar @ Dahor Dhankar @ Doharwa Dhankar S/O Late Bindeshwar Dhankar R/O Village- Sakatpur, P.S- Sakatpur, Distt.- Darbhanga.
3. Raju Dhankar S/O Vijay Dhankar R/O Village- Kamlawari, P.S- Jainagar, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Adv
For the Opposite Party/s : Mr.Nirmal Kumar Sinha, Adv

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

- 2 30-08-2023 1. Heard learned counsel for the petitioners and the learned APP for the State.
2. The petitioners are apprehending their arrest in connection with Sakatpur P.S. Case No. 19 of 2023 registered for the offence punishable under Sections 304B and 34 of the Indian Penal Code.
3. The informant has alleged killing of his daughter at the matrimonial home on account of non-fulfillment of the demand for dowry. The same is preceded by allegations of torture and assault by all the in-laws. Marriage is said to have taken place 3 years prior to the alleged occurrence dated 17-2-



2023.

4. It is submitted by learned counsel for the petitioners that 16 persons have been made accused, which includes all family members of informant's son-in-law. The petitioner Nos. 1, 2 and 3 are younger brother-in-law (*dewar*), father-in-law and elder brother-in-law (*nandosi*) of the victim respectively. The husband is stated to be in custody and it is submitted that the petitioners bear no antecedents. The submission is that the petitioners have no concern with the day-to-day life and affairs of the deceased and her husband. By virtue of their relationship only, they along with several others have been made accused in a routine way.

5. Learned APP for the State has opposed the prayer for pre-arrest bail.

6. Considering the rival submissions, clean antecedents, the relationship between the victim and the instant petitioners and the fact that husband of the victim is in custody, this Court is inclined to allow petitioners' prayer for grant of anticipatory bail.

7. Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on



furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Darbhanga in connection with Sakatpur P.S. Case No. 19 of 2023, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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