

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58834 of 2023**

Arising Out of PS. Case No.-86 Year-2023 Thana- GARKHA District- Saran

1. Sunita Devi, Female, aged about 40 Yrs, W/O Anil Rai @ Anil Kumar Yadav R/O Village- Rashidpur, Ps. Garkha, Dist. Saran At Chapra
2. Anil Rai @ Anil Kumar Yadav, Male, aged about 51 Years, S/O Lalan Prasad Yadav R/O Village- Rashidpur, Ps. Garkha, Dist. Saran At Chapra
3. Lalita Devi, Female, aged about 21 years, W/O Mahabir Erai @ Mahabir Prasad R/O Village- Rashidpur, Ps. Garkha, Dist. Saran At Chapra
4. Mahabir Rai @ Mahabir Prasad, Male, aged about 29 Years, S/O Lalan Prasad @ Lalan Prasad Yadav R/O Village- Rashidpur, Ps. Garkha, Dist. Saran At Chapra

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Abhijeet Gautam, Advocate  
For the Opposite Party/s : Ms. Anita Kumari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

2      20-09-2023                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with  
Garkha P.S. Case No. 86 of 2023 dated 22.02.2023, instituted  
for the offence punishable under Sections 304(B)/34 of the  
Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. Allegation against the petitioners is of killing the  
deceased due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioners submits that the  
petitioners who are brothers-in-law (*Bhaisur*) and sisters-in-law  
(*gotni*) of the deceased are innocent and they have been falsely



implicated in this case. During investigation, it has come that the deceased's father solemnized her marriage against her will with Shyam Kumar Yadav due to which she was unhappy. It is further submitted that the deceased was living separately with her husband since last five years from the date of occurrence. It is also submitted that after the death of the deceased, information with regard to same was given to the informant through one, Sadhu Rai. Thereafter, the informant and others came and found that the door was locked from inside. The said incident was reported to the police. Thereafter, the door was broken in presence of police personnel and the informant and the dead body was found hanging on the ceiling. It is again submitted that the husband of the deceased is already in judicial custody. Lastly, it has been submitted that petitioners have clean antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Garkha P.S. Case No. 86 of 2023, they will be released on anticipatory bail upon



furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Chapra, subject to condition as laid down under Section 438(2) of the Cr.P.C.

**(Khatim Reza, J)**

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