

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56991 of 2022

Arising Out of PS. Case No.-152 Year-2021 Thana- NARHATT District- Nawada

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1. SINDHU DEVI, Wife of Mithilesh Yadav R/V- Mahugain, P.S- Govindpur,
Dist- Nawada
 2. Mithilesh Yadav, Son of Ram Prasad Yadav R/V- Mahugain, P.S- Govindpur,
Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hansraj, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 27-04-2023 Heard Mr. Hansraj, learned counsel appearing on
behalf of the petitioner and Mr. Surendra Prasad Singh, learned
Additional Public Prosecutor for the State.

2. The petitioner seeks pre-arrest bail in connection
with Narhat P.S. Case No. 152 of 2021 registered for the
offences punishable under Sections 304B, 201/34 of the Indian
Penal Code.

3. The prosecution case, in brief, is that the
informant's daughter has been killed by the petitioners for non-
fulfillment of demand of dowry. It is further alleged that the
petitioners along with other co-accused persons had tried to
conceal the evidences by burning the dead body of the deceased.

4. Learned counsel appearing on behalf of the



petitioners submitted that the petitioners are sister and brother in law of the husband of the deceased and they are living separately. The petitioners have no concern with the family affairs of the deceased and her husband. He further submitted that there is general and omnibus allegation against the petitioners. He further submitted that the mother-in-law and father-in-law of the victim had already been released on bail by a coordinate Bench of this Court on 21.03.2023 passed in Criminal Miscellaneous No. 70244 of 2022.

5. Learned counsel for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Considering the nature of allegation made against the petitioners and the fact that petitioners have no concern with the family affairs of the deceased. The mother-in-law and father-in-law of the victim have already been released on pre-arrest bail. Prima facie the petitioners have made out a case to be released on pre-arrest bail.

7. Let the petitioners, named above, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial



Magistrate, Ist Class, Nawada, in connection with Narhat P.S. Case No. 152 of 2021, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure. The court below is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically loose its force.

(Purnendu Singh, J)

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