

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61077 of 2022

Arising Out of PS. Case No.-224 Year-2022 Thana- KHAGARIA District- Khagaria

1. VIJAY THAKUR S/o Kusheshwar Thakur R/o Mohalla- Dhobi Tola, P.S.- Khagaria, Distt- Khagaria.
2. Ajay Thakur S/o Kusheshwar Thakur R/o Mohalla- Dhobi Tola, P.S.- Khagaria, Distt- Khagaria.
3. Lakshmi Devi W/o Anil Thakur R/o Mohalla- Dhobi Tola, P.S.- Khagaria, Distt- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 19-06-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 304(B) and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent, petitioner nos. 1 and 2 are elder brothers-in-law of the deceased, petitioner no.3 is married sister-in-law (*nanad*) of the deceased and the informant alleges that his sister (deceased) was married to Sanjay Thakur seven years ago and out of the wedlock, three



children were born. It is next alleged that from the time of marriage her in-laws were demanding Rs. 2 lakhs as dowry and when the demand was not fulfilled, the husband along with other accused persons used to torture and assault her. It is further alleged that on 06.09.2021, the accused persons even assured not to harass his sister but on 15.03.2022, he got information through telephone that his sister has been hanged to death by her husband and his family members.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that the marriage was more than seven years old out of which three children were born, it is further submitted that whatever dispute arose, the dispute was between the husband and the wife and petitioners being family members, who are separate in mess and property, have been falsely implicated. It is next submitted that the informant is not an eye-witness to the occurrence. Learned counsel submits that allegation of demand of dowry is also general and omnibus in nature as no specific allegation has been alleged that the petitioners were also involved in demanding dowry, it is next submitted that if what has been alleged in the FIR is true then definitely the informant or the deceased would have instituted



the case much earlier.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each 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 Khagaria P.S. Case No. 224 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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