

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68744 of 2022

Arising Out of PS. Case No.-37 Year-2021 Thana- GADHPURA District- Begusarai

1. MD. ZAVED @ MD. ZAVED HUSSAIN SON OF MD. TAIYAB R/O VILL.- GADHPURA, P.S.- GARHPURA, DISTT.- BEGUSARAI
2. HAMIDA KHATOON WIFE OF MD. TAIYAB R/O VILL.- GADHPURA, P.S.- GARHPURA, DISTT.- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-01-2023 Heard learned counsel for the petitioners as well as learned APP for the State.

The petitioner apprehends their arrest in connection with Gadhpura P.S. Case No.37 of 2021, registered for the offence punishable under sections 304(B)/201/34 of the Indian Penal Code.

Allegedly, due to non-fulfillment of demand for dowry, the petitioners alongwith other accused persons killed the daughter of the informant and buried her in graveyard.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such



occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioner no.1 is the brother-in-law and petitioner no.2 is the mother-in-law of the deceased. The husband of the deceased is already in judicial custody. It is fairly submitted by the learned counsel for the petitioners that process under section 83 of Crpc has already been executed against the petitioners. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that process u/s 83 has been executed against the petitioners.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

Accordingly, this anticipatory bail application is dismissed.

However, if the petitioners surrender before the learned court below within a period of four weeks, from today, the learned court below shall pass the order, preferably on the same day, in accordance with law, considering the fact that one of the co-accused has been granted anticipatory bail by a co-



ordinate Bench of this Court.

(Anjani Kumar Sharan, J)

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