

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6741 of 2024

Arising Out of PS. Case No.-372 Year-2023 Thana- MANER District- Patna

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1. Manoj Kumar @ Gulfi Sah @ Gulfi Sao S/O KRISHNA SAH @ KRISHNA SAW VILLAGE- BADAR TOLA HALDI CHHAPRA, PS. MANER, DIST. PATNA.
 2. SRAWAN SAH @ Srawan Kumar S/O KRISHNA SAH @ KRISHNA SAW VILLAGE- BADAR TOLA, HALDI CHHAPRA, PS. MANER, DIST. PATNA.
 3. KAUSHALYA DEVI W/O KRISHNA SAH @ KRISHNA SAW VILLAGE- BADAR TOLA, HALDI CHHAPRA, PS. MANER, DIST. PATNA.
 4. KRISHNA SAH @ KRISHNA SAW S/O PRABHU DAYALSAH VILLAGE- BADAR TOLA, HALDI CHHAPRA, PS. MANER, DIST. PATNA.

... .. Petitioner/s

Versus

1. The State of Bihar
2. SUNIL SAH S/O MAHESH SAH VILLAGE- MUBARAK PUR KRISHI FORM, PS. SAHPUR, DIST. PATNA.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	: Mr. D. K. Sinha, Sr. Adv. Ms. Akansha Malviya Mr. Alexander Ashok Mr. Anil Srivastava
For the Opposite Party/s	: Mr. Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 2 | 20-02-2024 | <ol style="list-style-type: none">1. Heard learned Senior Counsel for the petitioners and learned Additional Public Prosecutor for the State.2. This application, for grant of anticipatory bail, arises out of Maner Police Station Case No. 372 of 2023, dated 20.05.2023, disclosing offences punishable under Sections 304-B/302/201 of the Indian Penal Code.3. The prosecution case, as per the First Information Report, is that the marriage of the daughter of the informant was |
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solemnized with co-accused Dilip Sah in the year 2015. It has been alleged that after the marriage, the accused persons started demanding a sum of Rs. 1,00,000/- and one motorcycle as dowry and due to non-fulfillment of the said demand, they used to torture the daughter of the informant. On 20.05.2023, in the evening, the informant got information that her daughter has hanged herself and has died. When the informant along with his family members arrived at the matrimonial home of his daughter, he found that nobody was there in the house and the villagers told that after keeping the dead body of her daughter in a bag, the same has been thrown in River Ganges.

4. Learned Senior Counsel for the petitioners submits that the petitioners are the family members of the deceased and the petitioner nos. 1 and 2 are her cousin dewars and petitioner nos. 3 and 4 are her mother-in-law and father-in-law. The allegation is general and omnibus in nature against all the family members. As per the First Information Report, the marriage was solemnized in the year 2015 and the alleged occurrence has taken place on 20.05.2023, i.e. after lapse of seven years, as such,



Section 304-B of the Indian Penal Code is not made out.

The informant has filed a petition before the learned District Court, stating therein that his daughter has died due to jaundice and the cremation of the dead body was done by the family members, i.e. the petitioners. The husband of the deceased, Dilip Sah, has been granted regular bail by a co-ordinate Bench of this Court, vide order, dated 17.10.2023, passed in Criminal Misc. No. 67153 of 2023.

5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the marriage was solemnized in the year 2015, i.e. more than seven years back, the allegation against the petitioners is general and omnibus in nature, the husband of the deceased has been granted regular bail by this Court and the petitioners are the family members of the deceased, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. 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 learned Judicial Magistrate, 1st Class, Danaqpur, Patna, in connection with Maner Police Station Case No. 372 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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