

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7780 of 2024

Arising Out of PS. Case No.-776 Year-2023 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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1. Usha Saha @ Usha Devi W/O Late Om Prakash Saha Resident of Dr. R.P. Road Khalifabagh Keshav Bhawan, Police Station-Jogsar, District-Bhagalpur. At Present Resident of Tower Y-1608 Amrapalli Silicon City, Sector-76, Police Station-Gautam Budha Nagar, District-Noida, Uttar Pradesh-201301.
 2. Seema Devi @ Seema Jaiswal W/O Nikhil Sah @ Nikhil Kumar Sah Resident of Dr. R.P. Road Khalifabagh Keshav Bhawan, Police Station-Jogsar, District-Bhagalpur. At Present Resident of Tower Y-1608 Amrapalli Silicon City, Sector-76, Police Station-Gautam Budha Nagar, District-Noida, Uttar Pradesh-201301.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar, Adv

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 28-02-2024 Heard learned counsel for the petitioner and learned counsel for the informant as well as learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Kotwali (Jagsar) P.S. Case No. 776 of 2023 dated 22.08.2023 registered for the offence/s punishable u/s 498A, 304B, 120B, 34 of the Indian Penal Code and $\frac{3}{4}$ of the DP Act.

4. As per the prosecution case, the petitioners and the



co-accused persons are alleged to have killed the informant's daughter due to non-fulfillment of demand of Rs. 3,00,000/- as dowry and hanged her with the fan showing as a suicidal case. Further, the petitioner no. 2 Seema Devi has illicit relationship with the co-accused Nitin Kumar Shah.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is submitted that the petitioner no. 1 is the mother-in-law and the petitioner no. 2 is the sister-in-law of the deceased. There is general and omnibus allegation against the petitioners. The petitioners neither demanded any dowry nor tortured the deceased. It is further alleged that the petitioner no.2 *Seema Devi* had no illicit relationship with the husband of the deceased. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances of the case, as well as the allegation being general and omnibus against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond



of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhagalpur in connection with Kotwali (Jagsar) P.S Case No. 776 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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