

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11589 of 2024

Arising Out of PS. Case No.-26 Year-2023 Thana- NAWADA MUFFASIL District- Nawada

1. Usha Devi wife of Sahdeo Singh R/o- Kendua Ps- Muffasil Dist- Nalanda
2. Sahdeo Singh son of Late Girani Singh R/o- Kendua Ps- Muffasil Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Saroj Kumar Choudhary, Advocate
For the State	:	Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 16-07-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 302 and 34 of the Indian Penal Code.

3. As per prosecution case, marriage of sister of the informant was solemnized with one Vinay Kumar, who happens to be son of these petitioners, 12 years ago and sister of the informant was blessed with two children out of the said wedlock. It is alleged that all the accused persons named in the F.I.R., including these petitioners, used to torture and harass the sister of the informant due to non-fulfillment of demand of dowry and lastly on 02.08.2023 at about 8 PM, they killed the sister of the informant by giving poison.



4. It is submitted by learned counsel appearing on behalf of the petitioners that Petitioner No. 1 is step mother-in-law and Petitioner No. 2 is father-in-law of the deceased. These petitioners live separately from the victim and her husband, who is employed in Pune. It is further submitted that the deceased was having two children and hence the question of demand of dowry and torture for the same does not arise. As a matter of fact, the deceased committed suicide due to petty dispute with the husband and she was carried to the hospital but she could not survive. Petitioners claim clean antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that these petitioners are named in the F.I.R. and on the alleged date of occurrence, the victim was in her matrimonial house along with all the F.I.R. named accused persons, including these petitioners. Moreover, the post mortem report also supports the prosecution case and the cause of death has been found to be consumption of poisonous substance.

6. Considering the aforesaid facts and circumstances, nature of accusation and the fact that post mortem report supports the prosecution case, the prayer for grant of



anticipatory bail to these petitioners is rejected.

(Prabhat Kumar Singh, J)

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