

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17344 of 2024

Arising Out of PS. Case No.-430 Year-2023 Thana- SASARAM MUFFSIL District- Rohtas

1. Nandlal Sharma Son of late Bali Sharma Resident of vill.-Bansa, P.S.-Sasaram(M), Distt.-Rohtas
2. Rohit Sharma Son of Nandlal Sharma Resident of vill.-Bansa, P.S.-Sasaram(M), Distt.-Rohtas
3. Sarita Devi Wife of Nandlal Sharma Resident of vill.-Bansa, P.S.-Sasaram(M), Distt.-Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh
For the Opposite Party/s : Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 21-03-2024 1. Heard learned counsel for the petitioners, learned A.P.P. for the State along learned counsel for the informant.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 304B of the Indian Penal Code.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedents and have been falsely implicated in the instant case by the informant as petitioner are father-in-law, brother-in-law (*dewar*) and mother-in-law of the deceased. It is further submitted that the deceased and her husband were staying separately from the petitioners;



and the petitioners were no interfering in their life on daily basis. It is next submitted that even the death of the victim took place at her home where she was staying with her husband and not in the house of the petitioners. It is further submitted that from perusal of the post-mortem report, it would manifest that the victim died on account of receiving electric current. It is thus submitted that had the petitioner been involved in the occurrence then endeavours would have been made for disposing of the dead body with a view to conceal the evidence and the police would not have been in a position to take the dead body to the hospital for post-mortem. It is next submitted that no doubt a sad occurrence took place, but then it is not that every case is a dowry death.

4. The learned APP along with the learned counsel for the informant opposes anticipatory bail application but are not in a position to rebut the submission of the learned counsel for the petitioners that the dead body was sent for post-mortem by the police and no endeavours were made by the petitioners to dispose of the dead body for the purposes of concealing the evidence.

5. 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 trial court 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 trial court where the case is pending/successor court in connection with Sasaram (M) P.S. Case No. 430 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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