

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26889 of 2024

Arising Out of PS. Case No.-434 Year-2018 Thana- FATUA District- Patna

-
1. Seema Devi Wife of Ashok Kumar Resident of Mohalla- Bahari Begampur,
Police Station- By-pass, Dist.- Patna
 2. Ashok Kumar Son of Kashi Mahto Resident of Mohalla- Bahari Begampur,
Police Station- By-pass, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raj Krishna Jha, Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar Singh, APP
For the Informant	:	Mr. Abhimanyu Deo, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in connection
with Fatuha P.S. Case No. 434 of 2018 instituted under Sections
304(B) and 34 of the Indian Penal Code.

3. As per the prosecution case, the allegation against
the petitioners is that they along with the other co-accused
persons committed dowry death with the daughter of the
informant.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have been falsely implicated in this
case on the basis of suspicion. There is general and omnibus



allegation against the petitioners and the husband of the victim is already facing the trial. He further submits that earlier the anticipatory bail of the petitioners was rejected by the co-ordinate Bench of this Court vide order dated 30.04.2019 passed in Cr. Misc. No. 28416 of 2019. However, the fresh ground in this case is that the Police after completion of the investigation filed the final report having found no hand of the petitioners in the alleged occurrence. However, the Court Concerned has taken cognizance also against the petitioners. He further submits that the petitioners are sister-in-law (gotani) and brother-in-law (bhaisur) of the deceased and they have no concern with the family affairs of the deceased and they were living separately. He also submits that the petitioners undertake to surrender before the Court Concerned within 15 days and shall co-operate in the trial in the case.

5. Learned A.P.P. for the State as well as learned counsel for the informant oppose the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within 15 days from receipt/production of this order, the petitioners be released



on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to each to the satisfaction of the learned A.C.J.M.-1st at Patna City in connection with Fatuha P.S. Case No. 434 of 2018, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

ashishkr/-

U		T	
---	--	---	--

