

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35492 of 2024

Arising Out of PS. Case No.-319 Year-2023 Thana- BHAGWANPUR District- Begusarai

1. Arti Devi @ Arti Kumari Wife of Rakesh Kumar @ Rakesh Sah Resident of Village- Bagwara, Ward No- 06, P.S- Birpur (O.P) , Begusarai ,Dist- Begusarai
2. Rakesh Kumar @ Rakesh Sah Son of Mukesh Sah Resident of Village- Bagwara, Ward No- 06, P.S- Birpur (O.P) , Begusarai ,Dist- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Chandan Kashyap, Adv.
For the Informant	:	Ms. Sagrika, Adv.
For the Opposite Party/s	:	Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 30-08-2024 Heard learned counsel for the petitioners and learned counsel for the informant as well as learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Bhagwanpur P.S. Case No. 319 of 2023 dated 26.11.2023 registered for the offence/s punishable u/s 304B read with section 34 of the Indian Penal Code and 4/8 of the DP Act.

3. As per the prosecution case, the petitioners and the co-accused persons are alleged to have committed murder of the informant's daughter due to non-fulfillment of demand



of Rs. 1.5 lakh as dowry.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioner no. 1 is the married *Nanad* and the petitioner no. 2 is the *Nandos* of the deceased. The petitioners neither demanded any dowry nor tortured the deceased. There is general and omnibus allegation against the petitioners. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

5. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioners. It is submitted that the petitioners used to torture the deceased on account of dowry and they were present at the place of occurrence.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on 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 the learned court concerned, Begusarai in connection with Bhagwanpur P.S. Case No. 319 of 2023, subject to conditions as laid down



under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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