

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36744 of 2024

Arising Out of PS. Case No.-41 Year-2023 Thana- SIMRA District- Aurangabad

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1. Pratima Kumari Wife Of Rituraj @ Guddu @ Rituraj Kumar
 2. Rituraj @ Guddu @ Rituraj Kumar Son of Gobardhan Mehta
Both Resident Of Village- Ajanian, Ps- Simra, Dist- Aurangabad
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shankar Singh, Advocate
For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 30-08-2024 1. Heard learned counsel for the petitioners as well
as learned APP for the State.

2. The petitioners seek bail in anticipation of their
arrest in a case registered for the offences punishable under
Sections 304-B, 120B of the IPC in connection with Simra P.S.
Case No.41 of 2023.

3. The learned counsel for the petitioners submit that
petitioners are persons with clean antecedent and the informant
alleges that his cousin sister Shobha was married to Gautam on
15.05.2023, after marriage his sister was harassed and subjected
to cruelty at the hands of her husband and his family members
for not fulfilling the demand of dowry of a motorcycle and
rupees five lakhs, further on account of non-fulfillment of the
dowry demand the deceased was strangled to death by the



accused persons on 28.11.2023.

4. The learned counsel submits petitioners have been falsely implicated in the instant case being brother-in-law (Bhaisur) and sister-in-law (Gotani) of the deceased. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the allegation of demand and torture is general and omnibus in nature. It is also submitted that informant is not an eyewitness to the occurrence and the entire allegation hinges around suspicion, further the petitioners are separate in mess and property from the husband of the deceased. It is next submitted that whenever any dispute arises in between the husband and the wife and occurrence of the nature as alleged take place, in that event, the entire family members are implicated in a mechanical manner with general, omnibus and ornamental allegation. It is also submitted that husband of the deceased is in custody since 20.07.2024. It is also submitted that petitioner will not abscond rather will cooperate in the investigation.

5. The learned APP opposes the anticipatory bail application.

6. 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 Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Simra P.S. Case No.41 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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