

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41647 of 2024

Arising Out of PS. Case No.-321 Year-2021 Thana- DANAPUR District- Patna

1. Jai Ram Prasad Son Of Ram Nath Prasad, Resident Of Jagdeopath, Bailey Road, Jagmano Shree Apartment, P.S. - Hawaii Adda, District - Patna
2. Poonam Devi @ Poona Devi Wife Of Jai Ram Prasad, Resident Of Jagmano Shree Apartment, Jagdeo Path, Rukanpura, P.S. - Hawaii Adda, District - Patna
3. Babita Devi Wife Of Chandra Shekhar Prasad, Resident Of Anand Bazar, P.S. - Danapur, District - Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary

For the Opposite Party/s : Ms. Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 22-07-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 304(B), 120(B) of the Indian Penal Code.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and have been falsely implicated in the instant case by the informant. It is next submitted that the informant alleges that her daughter was married to Deepak Gupta in the year 2008 and out of the wedlock, two children were born but after marriage Rs.10 lacs



was being demanded by way of dowry and on account of non-fulfillment of the same, the victim was tortured and assaulted. Further, on 23.04.2021 at 2.00 A.M. all the named accused persons murdered the daughter of the informant.

4. The learned counsel submits that the marriage of the deceased with Deepak was performed in the year 2008, and out of the wedlock, two children were born and in these 12-13 years, no case came to be instituted either by the informant or the deceased alleging that the dowry was being demanded by the accused persons including the petitioners. It is further submitted that petitioners are Nandoshi, Nanad and Gotni of the deceased. The petitioner no.2 is sister of Deepak and petitioner no.1 is husband of petitioner no.2, while petitioner no.3 is wife of Chandra Shekhar Prasad, brother of Deepak. It is also submitted that the informant is not an eyewitness to the occurrence. It is further submitted that whenever any occurrence took place, the entire family members are implicated in a mechanical manner with general, omnibus and ornamental allegation. It is further submitted that Deepak has also filed Cr. Misc. No.50871/2024, seeking anticipatory bail, which is pending adjudication.

5. Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioners.

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 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 learned trial court where the case is pending/successor court in connection with Danapur P.S. Case No.321/2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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