

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47925 of 2024

Arising Out of PS. Case No.-188 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

1. Nageshwari Devi @ Nagesari Devi W/o- Late Nathu Rai @ Nathi Rai @ Shambhunath Rai Village- Bakarpur Po- Ismailpur Ps- Hajipur Sadar Dist- Vaishali
2. Nilu Devi wife of Jitendra Kumar @ Jitendra Ray Village- Bakarpur Po- Ismailpur Ps- Hajipur Sadar Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Ashutosh Kumar, Advocate
For the State	:	Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-09-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 304B, 201 and 34 of the Indian Penal Code.

3. As per prosecution case, all the F.I.R. named accused persons, including these petitioners, due to non-fulfillment of demand of dowry, killed sister of the informant.

4. It is submitted by learned counsel for the petitioners that Petitioner No. 1 is mother-in-law and Petitioner No. 2 is sister-in-law of the deceased. Petitioners are victim of over implication. There is no specific allegation of demand of dowry or torture. They are separate in mess & property and have got no



concern with the affairs of the deceased and her husband. Thrust of accusation is against husband of the deceased. As a matter of fact, due to illicit relationship between deceased and her brother-in-law, Petitioner No. 1 had earlier filed a complaint case bearing Complaint Case No. 3322 of 2019 before the learned Chief Judicial Magistrate, Hajipur, against the brother-in-law of the deceased and other accused persons, including the informant and in retaliation, this false and concocted case has been lodged. It is further submitted that dead body of the deceased has been recovered from village of brother-in-law of the informant and there is every possibility that murder of the deceased was committed by Majit Rai @ Rajveev Ray. Petitioners are ladies and claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs.



10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur, in connection with Hajipur Sadar P.S. Case No. 188 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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