

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48526 of 2024

Arising Out of PS. Case No.-782 Year-2023 Thana- AMARPUR District- Banka

1. Barfi Devi W/O Pappu Mandal R/O Village- Khemichak, P.S- Samarpur, Distt.- Banka.
2. Pappu Mandal S/O Late Rudra Narayan Mandal R/O Village- Khemichak, P.S- Samarpur, Distt.- Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Adv.

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 21-09-2024 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending arrest in a case registered for the offences punishable in connection with Amarpur P.S. Case No.782 of 2023 under Sections 304B, 328, 120B and 34 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged against the petitioners against whom there is allegation that they have provided poison to the deceased due to which she died.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that the allegation of demand of dowry is not correct, but actual fact is otherwise. He further submits that the deceased was ill and her operation of stone took place in her stomach, but she could not recover and gradually her condition deteriorated, and subsequently, she died.



5. Learned Counsel further submits that the husband of the deceased is in custody which is Annexure-8 of the bail petition. He further submits that case diary has been called for.

6. Learned Counsel also submits that petitioners' antecedent are clean.

7. Learned APP for the State opposes the prayer for bail and submits that in Paragraph 48 of the case diary, it has come that the operation of the deceased took place and due to failure of the said operation, she died.

8. In the present facts and circumstances, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of 6 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka in connection with Amarpur P.S. Case No.782 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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