

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52281 of 2024

Arising Out of PS. Case No.-7 Year-2024 Thana- Raghunathpur District- East Champaran

1. Purnima Kumari D/o- Om Prakash Mahto R/V- Saphi Tola Sagra, P.S.- Raghunathpur, Dstt.- East Champaran
2. Pramila Devi Wife of Om Prakash Mahto R/V- Saphi Tola Sagra, P.S.- Raghunathpur, Dstt.- East Champaran
3. Om Prakash Mahto Son of Late Gopal Mahto R/V- Saphi Tola Sagra, P.S.- Raghunathpur, Dstt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shakil Ahmad Khan, Advocate
For the Opposite Party/s	:	Mr. Shyameshwar Dayal, APP
For the Informant	:	Mr. Abhishek Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 28-08-2024 Learned counsel for the petitioner no. 1 submits that the petitioner no. 1 has been arrested and thus this Cr. Misc. Application becomes infructuous for the petitioner no. 1. Therefore, he seeks permission to withdraw this Cr. Misc. Application for the petitioner no. 1.

2. Permissions is accorded.

3. Accordingly, this Cr. Misc. Application is dismissed as infructuous for the petitioner no. 1.

4. Heard learned counsel for the petitioner nos. 2 & 3, learned A.P.P. for the State and learned counsel for the informant.



5. The petitioner nos. 2 & 3 apprehend their arrest in connection with Raghunathpur P.S. Case No. 07 of 2024 instituted under Sections 498(A), 304B and 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

6. As per the prosecution case, for non-fulfillment of the dowry demand, the accused persons including the petitioners have caused dowry death to the sister of the informant.

7. Learned counsel for the petitioner nos. 2 & 3 submits that petitioners are father-in-law and mother-in-law of the deceased, are innocent and have been falsely implicated in this case. There is general and omnibus allegation against the petitioner nos. 2 & 3. There is no material against the petitioner nos. 2 & 3 and the husband of the deceased is already in jail custody. He further submits that the petitioner nos. 2 & 3 are living separately and thus they have no concern with the family affairs of the deceased and her husband and also with the alleged occurrence. He further submits that petitioner nos. 2 & 3 have no criminal antecedent and they undertake to co-operate in the investigation and the trial.

8. Learned A.P.P. for the State as well as learned counsel for the informant vehemently oppose the prayer for anticipatory bail.



9. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner nos. 2 & 3 be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount to each to the satisfaction of the learned A.C.J.M.-VI, East Champaran at Motihari / Concerned Trial Court in connection with Raghunathpur P.S. Case No. 07 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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