

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77069 of 2023

Arising Out of PS. Case No.-185 Year-2023 Thana- SIWAN MUFFASIL District- Siwan

1. Pankaj Kumar, Son of Shambhu Ram, Resident of Village - Bhatwaliya, Police Station - Siwan Mufassil, District- Siwan.
2. Raja Kumar, Son of Shambhu Ram, Resident of Village - Bhatwaliya, Police Station - Siwan Mufassil, District- Siwan.
3. Manisha Kumari, D/o Shambhu Ram, Resident of Village - Bhatwaliya, Police Station - Siwan Mufassil, District- Siwan.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ram Pravesh Nath Tiwari, Advocate
For the Opposite Party : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 03-01-2024 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Siwan Mufassil P.S. Case No. 185 of 2023 dated 13.04.2023 registered for the offences punishable under Sections 498A, 304B/34 of the I.P.C. and Section 3/4 of the D.P. Act.

4. As per the prosecution case, the petitioners and



other co-accused persons are alleged to have tortured and murdered the informant's daughter due to non-fulfilment of Rs. 3,00,000/- as a dowry.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in this case. The petitioners have not tortured the informant's daughter. It is submitted that the petitioner nos. 1 and 2 are the brothers-in-law (Dewars) and the petitioner no. 3 is the unmarried Nanad of the deceased. It is submitted that the husband of the deceased is in custody. There is general and omnibus allegation against the petitioners. It is further submitted that the petitioners were not present at the place of occurrence rather they were in Nasik in connection with their private job. The petitioners have no concern with the alleged offence. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail application.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be



enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Siwan in connection with Siwan Mufassil P.S. Case No. 185 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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