

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82734 of 2023

Arising Out of PS. Case No.-455 Year-2023 Thana- BRAHMPUR District- Buxar

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1. Sundari Devi @ Sunari Devi W/O Bharat Ram Village Jawahi Jagdishpur
P.S Brahmpur District Buxar
 2. Chhotoo Ram @ Prem Prakash Son Of Bharat Ram Village Jawahi
Jagdishpur P.S Brahmpur District Buxar

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shankar Pathak, Adv.

For the Opposite Party/s : Mr.Harendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 04-01-2024 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. Learned counsel for the petitioners seeks permission to
withdraw the present anticipatory bail application with respect to the
petitioner no. 1 i.e. Sundari Devi @ Sunari Devi, who has already been
arrested.

Permission is accorded.

Accordingly, the present anticipatory bail application is
dismissed as withdrawn with respect to petitioner no. 1.

3. The petitioner is apprehending his arrest in a case in
connection with Brahmpur P.S. Case No. 455 of 2023 dated
24.07.2023 registered for the offences punishable u/ss 304B



read with section 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have killed the informant's sister due to non-fulfillment of demand of Rs. 5,00,000/- as dowry.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner no. 2 is the brother-in-law (*Bhaisur*) of the deceased and he has no concern with the alleged offence. The petitioner neither demanded any dowry nor tortured the informant's sister. There is general and omnibus allegation against the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Buxar in



connection with Brahmpur P.S. Case No. 455 of 2023, subject to conditions 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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