

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80711 of 2023

Arising Out of PS. Case No.-64 Year-2023 Thana- INARWA District- West Champaran

1. URMILA DEVI W/O LATE NANDLAL SHARMA R/O VILLAGE-USTAD BAHUARWA, P.S.- INARWA, DIST.- WEST CHAMPARAN
2. KRISHNA SHARMA @ KRISHNA THAKUR SON OF LATE NANDLAL SHARMA R/O VILLAGE- USTAD BAHUARWA, P.S.- INARWA, DIST.- WEST CHAMPARAN
3. SANDEEP SHARMA @ SANDEEP THAKUR @ SANDEEP KUMAR SHARMA SON OF NANDLAL SHARMA R/O VILLAGE- USTAD BAHUARWA, P.S.- INARWA, DIST.- WEST CHAMPARAN
4. KULDEEP SHARMA @ KULDEEP KUMAR SHARMA @ KULDEEP THAKUR SON OF LATE NANDLAL SHARMA R/O VILLAGE- USTAD BAHUARWA, P.S.- INARWA, DIST.- WEST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Inarwa P.S. Case No. 64 of 2023 dated 01.07.2023 instituted for the offence punishable under Sections 304B, 34 of the IPC.

3. As per prosecution case, the informant's sister, namely, Poonam Devi was married to one Rajkumar Sharma in the year 2018 according to Hindu rituals and out of the said



wedlock, she gave birth to a female child. Since then, as alleged, she was being tortured by the accused persons for fulfillment of demand of dowry and when the said demand of dowry was not fulfilled, she was eliminated by the accused persons.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have been falsely implicated in this case. It is submitted that petitioner no.1 is mother-in-law and petitioners no. 2 to 4 are brothers-in-law of the deceased-sister of the informant who all are separate in mess and property from the accused, Raj Kumar, husband of the deceased. Father of petitioners no. 2 to 4 has already died much before the occurrence. It is next submitted that there is no specific allegation against any of the petitioners and the postmortem report of the deceased does not show any external injury over the body of the deceased and the said report has not supported the prosecution case. It is also submitted that the deceased died on account of her old ailment. Lastly, it has been submitted that petitioner no. 3 has got no criminal antecedent while petitioner nos. 1 and 2 are accused in two cases and so far as petitioner no.4 is concerned, there is only one case against him.

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



6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Inarwa P.S. Case No. 64 of 2023, they will be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Sri M. Chandra, learned Judicial Magistrate 1st Class, Bettiah, West Champaran/concerned court subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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