

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80886 of 2023

Arising Out of PS. Case No.-366 Year-2004 Thana- SASARAM MUFFSIL District- Rohtas

1. Bahadur Singh Son Of Late Purnwasi Singh Resident Of Village - Basantpur, Police Station - Sasaram (M), District - Rohtas
2. Naresh Singh Son Of Late Purnwasi Singh Resident Of Village - Basantpur, Police Station - Sasaram (M), District - Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kamlesh Singh Son Of Shri Harinath Singh Resident Of Village - Basantpur, Police Station - Sasaram (M), District - Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Tiwary, Advocate
For the Opposite Party/s	:	Mr. Bhanu Pratap Singh, 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 arrest in connection with Sasaram (M) P.S. Case No. 366 of 2004 dated 12.08.2004 instituted for the offence punishable under Sections 304(B) of the Indian Penal Code.

3. Allegation against the petitioners and other co-accused persons is that they demanded Rs. 50,000/- in cash and one Hero Honda motorcycle from the daughter of the complainant as additional dowry, and due to non-fulfilment of the same, they tortured her physically and mentally.



Consequently, on 24.07.2004, they killed her daughter by administering poison for the said dowry.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that petitioners are uncle of the husband of the deceased. Both the petitioners are living separately from the husband of the deceased even prior to the marriage. Learned counsel for the petitioners submits that neither the petitioners demanded any dowry from the deceased nor they have any concern with her husband. Learned counsel for the petitioners further submits that true fact is that the deceased was pregnant and suddenly, she suffered from abdominal pain and consequently, she died on way to the hospital. Lastly, it has been submitted that petitioners have no criminal antecedents.

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 Sasaram (M) P.S. Case No. 366 of 2004, they will be released on 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 learned Chief Judicial Magistrate, Rohtas at Sasaram subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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