

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34991 of 2015

Arising Out of PS.Case No. -10 Year- 2015 Thana -ANGARGHAT District- SAMASTIPUR

Banarsi Devi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amitabh Bhardwaj

For the Opposite Party/s : Mr. Sunil Kr.Pandey(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the mother of the husband of the victim is apprehending arrest in a case registered for the offences punishable under Sections 498A, 304B and 201/34 of the Indian Penal Code.

The accusation is of killing the niece of the informant for non-fulfillment of the dowry demand.

It is submitted by learned counsel for the petitioner that the accusation is omnibus and general and as per the own admission of the informant the marriage was performed in the year 2004 when the victim died in the year 2015, hence the case does not come within the purview of Section 304B of the IPC. Moreover, the mother of the victim retracted from her initial version and filed a petition to that effect before the learned court

below. The same has been brought on record as Annexure-3 of the petition.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, Dalsingsarai, Samastipur in connection with Angarghat P.S. Case No. 10 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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