

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36879 of 2015

Arising Out of PS.Case No. -62 Year- 2014 Thana -SHAMBHUGANJ District- BANKA

1. Krishna Devi w/o Satya Prakash Singh
2. Ranjit Singh @ Ranjeet Singh Son of Satya prakash Singh both residents
of village Garhi Mohanpur, P.S. Shambhuganj, Distt-Banka

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nand Gopal Mishra

For the Opposite Party/s : Mr. Sanjay Kr. Singh(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 10-09-2015 Heard learned counsel for the petitioners and learned
Assistant Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of
Shambhuganj P.S. Case No. 62 of 2014 disclosing offences under
Sections 304(B), 201, 120(B) of the Indian Penal Code.

The petitioner no. 1 is the mother-in-law of the deceased,
whereas, the petitioner no. 2 is brother of the husband of the
deceased.

Learned counsel appearing on behalf of the petitioners
submits that no offence punishable under Section 304(B) of the
Indian Penal Code is made out, on the basis of allegation as
contained in the First Information Report inasmuch as there is no
allegation that immediately before the death of the deceased, any

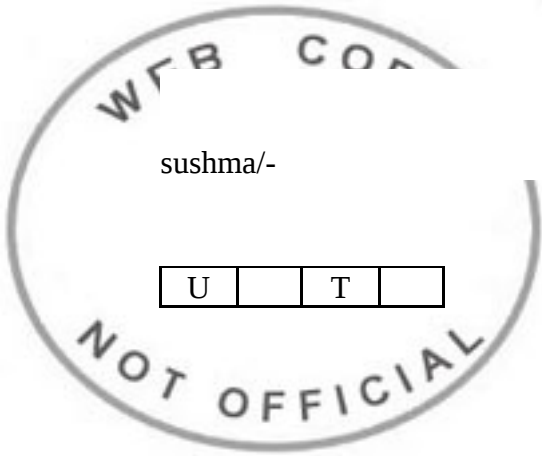


demand of dowry was made. He has further submitted that it has wrongly been mentioned in the First Information Report that marriage of the deceased with the son of petitioner no. 1 was solemnized six years back to her death, rather, they were married seventeen years before the date of occurrence. He has drawn my attention to Annexure-2 series, which is the birth certificate of daughter and son of the deceased, who were born in the year 2003 and 2005 respectively, issued by the Department of Planning and Development, Government of Bihar.

Considering the aforesaid submission, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Banka in connection with Shambhuganj P.S. Case No. 62 of 2014 subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail

bonds shall be liable to be cancelled.



(Chakradhari Sharan Singh, J)