

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42205 of 2015

Arising Out of PS.Case No. -69 Year- 2015 Thana -SIMRI District- BUXAR

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1. Mantoo Rai @ Mantoo Kumar Rai
 2. Mithilesh Rai @ Neta Rai
 3. Nirmal Rai @ Hirmal Kumar Rai All sons of Bhagi Rai
 4. Shusuma Devi @ Shusma Devi Wife of Nirmal Rai
 5. Ratan Jharo Devi Wife of Bhagi Rai All residents of village - Gaighat, P.S. Semari, District - Buxar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Ray, Adv.

For the Opposite Party/s : Mr. Mukesh Kumar Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

3 02-12-2015 Heard both sides.

The petitioners apprehend their arrest in Semari P.S. Case No. 69/2015, registered for the offences punishable under Section 304B, 201 and 34 of the Indian Penal Code.

Petitioner no. 1 is the husband, petitioner no. 2 and 3 are brother-in-laws of the deceased. Petitioner no. 4 is sister-in-law and petitioner no. 5 is mother-in-law of the deceased.

The informant alleged that after marriage Mantoo Rai husband of the deceased began to demand of a motorcycle and her son Jilesh Kumar gave Rs. 92,000/- to Mantoo Rai for purchasing motorcycle.

She further alleged that after sometime again Mantoo Rai demanded a chain made of gold.

Learned counsel for the opposite party submits that there is omnibus and general allegation that deceased accidentally burnt while she was cooking food.

It appears that the informant has not made any specific allegation of demand of dowry and torture against the petitioners 2 to 5, whereas, the informant has made very specific allegation of demand of dowry and torture against Mantoo Rai husband of the deceased.

Considering the facts aforesaid, the petitioner no. 2 to 5 who are the in-laws of the deceased, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Semari P.S. Case No. 69/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

So far as the case of petitioner no. 1 Mantoo Rai is concerned, he is husband of the deceased and the informant has made very specific allegation of demand of dowry and torture, I

am not inclined to enlarge the petitioner no. 1 on anticipatory bail.
Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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