

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 38578 of 2014

Arising Out of PS.Case No. -254 Year- 2014 Thana -KADAMKUAN District- PATNA

- =====
1. Rajmani Devi @ Rajmuni Devi age 55 years Wife of Lal Babu Gupta.
 2. Lal Babu Gupta @ Lall Babu Prasad age 66 years Son of Sri Bhagwan Saraff.
- Both are residing at Quarter No. 180 Sector 9 D Street no. 12 Bokaro Steel City, Bokaro, Jharkhand.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s

: Mr.

For the State

: Mr. Sanjay Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

4 28-04-2015

Heard Mr. Rajendra Narayan, learned senior counsel assisted by Mr. Sanjeev Kumar Mishra, learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the informant.

The petitioners apprehend arrest in Kadamkuan P.S. Case No. 254 of 2014 dated 05.06.2014 instituted under Sections 304B/34 of the Indian Penal Code.

The allegation against the petitioners who are the mother-in-law and father-in-law of the deceased is with regard to demand of dowry and torture and having conspired in the killing of the deceased.

Learned counsel for the petitioners submits that

despite being of old age, the petitioners reside at Bokaro and admittedly death occurred at Patna. It is further submitted that there is no sign of any external bodily injury except for ligature mark in the neck resulting in death due to asphyxia. It is submitted that it is a case of suicide in which parents of petitioners had no role and further just after six months of the marriage, if at all, the petitioners were demanding dowry, they could not have committed such a heinous crime without giving further time for getting dowry.

Learned A.P.P., upon going through the case diary and learned counsel for the informant oppose the prayer for anticipatory bail. It is submitted that the petitioners being the mother-in-law and father-in-law of the deceased cannot shirk their responsibility from the well being of the deceased who was their daughter-in-law.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners 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, Patna in Kadamkuan P.S. Case No. 254 of 2014, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973. The petitioners shall cooperate in the trial and be present before

the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall lead to cancellation of their bail bonds.

(Ahsanuddin Amanullah, J.)

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