

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49136 of 2015

Arising Out of PS.Case No. -77 Year- 2014 Thana -BHELDI District- SARAN

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1. Rozy Kumari minor U/s the guardianship of Rajesh Kumar Sharma d/o
Ram Awtar Thakur r/o Village- Gopalpur P.S.- Bheldi District- Saran
..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anant Kumar Bhaskar

For the Opposite Party/s : Mr. M. Dayal (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 04-11-2015 Heard the Counsel for the petitioner and Mr. M.Dayal, APP
for the State.

The minor daughter of the family is before this Court seeking anticipatory bail in Bheldi P.S. Case No. 77 of 2014 registered under Sections 304(B)/34 of the Indian Penal Code, and sections 34 of Dowry Prohibition Act.

Allegation is that within two years of marriage, the daughter of the informant was done to death in the matrimonial home due to non-fulfilment of demand of dowry. Entire family including nana has been made accused. Contention of the petitioner is that the petitioner is minor school going *nanad* of the victim. The transfer certificate issued by the school has been annexed in support thereof. It is submitted that considering the inter se relationship co-accused Vishwa Nath Thakur has since been released on anticipatory bail vide order contained in Annexure-3.

Considering the fact that the petitioner is a minor daughter of the family, this Court is persuaded to extend her privilege of anticipatory bail. In the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in Bheldi P.S. Case No. 77 of 2014 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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