

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11721 of 2016

Arising Out of PS.Case No. -111 Year- 2015 Thana -ISUAPUR District- SARAN

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1. SHAMBHU TIWARI @ SHUMBHUNATH TIWARI S/o Late Ram
Bharosa Tiwari
2. Dewanti Devi W/o Shambhu Tiwari, Resident of Vill- Piprahiya, P.S.
Isuapur, Dist- Saran, Bihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Kumari Rashmi, Advocate.

For the Opposite Party/s : Mr. B.N. Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 23-06-2016 Heard learned counsel for the petitioners, learned
A.P.P. as well as learned counsel for the informant.

The petitioners, namely, Shambhu Tiwari @
Shambhunath Tiwari and Dewanti Devi, apprehend their arrest in
a case under Sections 304B/34 of the Indian Penal Code.

The informant alleged that his daughter was married
to Rakesh Tiwari, son of the petitioners. On 04.09.2015, Shambhu
Tiwari (petitioner no. 1) informed him about the death of his
daughter. The informant went there and saw the dead body of his
daughter. It is submitted that the petitioners are father-in-law and
mother-in-law of the deceased. The petitioners never demanded
any dowry nor tortured the deceased. The deceased was carrying
pregnancy of eight months and suddenly abdominal pain started
and while she was being taken to the hospital, she died. The post-

mortem report also shows that there was no external or internal injury on the person of the deceased. The informant was informed by the petitioner no. 1 about the death of his daughter and he did not make any complaint. The allegation of demand of dowry and torture is false as no complaint was ever made about the demand of dowry or torture during the life time of the deceased.

Learned A.P.P. as well as learned counsel appearing on behalf of the informant vehemently opposed the prayer for anticipatory bail.

On consideration of the facts aforesaid and the fact that the petitioners are father-in-law and mother-in-law of the deceased, the above named petitioners, in the event of their arrest or surrender before the learned 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, Saran at Chapra in Isuapur P.S. Case No. 111/15, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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