

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39357 of 2016

Arising Out of PS.Case No. -186 Year- 2016 Thana -PURNEA SADAR District- PURNIA

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1. Lalita Devi wife of Suresh Lal Das resident of Mohalla-Rambagh,
Professor Colony P.S. Purnia. Sadar. District Purnia.
2. Vijay Kumar Karn son of Suresh Lal Das of mohalla- Rambagh
Professor Colony P.S. Purnia Sadar. District Purnia.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binoy Kumar Sinha-1

For the Opposite Party/s : Mr. Md. Ashlam Ansari

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

5 22-11-2016 Heard Sri Binoy Kumar Sinha - I, learned counsel for

the petitioners and Mr. Md. Ashlam Ansarai, learned Additional

Public Prosecutor .

In compliance with the order dated 19.10.2016 passed
by a co-ordinate bench (Hon'ble Mr. Justice Dinesh Kumar
Singh), learned Additional Public Prosecutor produces report of
the Superintendent of Police, Purnia. In compliance with the
order Sub Inspector of Police , Purnia Police Station is also
present.

Petitioners who are mother- in- law and husband of the
victim (deceased) have approached this court for grant of
anticipatory bail in Purnia Sadar P.S. Case No. 186 of 2016

registered for the offence under section 307, 498(A) of the Indian Penal Code and Section 3 and 4 of the Dowry Prohibition Act subsequently after noticing regarding the death of the victim Section 304(B) of the Indian Penal Code was also added.

Learned counsel for the petitioners submits that the informant is a drunkard and only with a view to extract money from petitioners side a false case was instituted against entire family member. He submits that petitioner no.1 is an old lady aged about 76 years. He further submits that after the victim received burn injury she was got treated and in that treatment petitioners had spent huge money and even thereafter the informant had extorted huge money from the petitioners and as such a prayer has been made for grant of anticipatory bail. However in the F.I.R. it has been disclosed that marriage of sister of informant was solemnized with petitioner no. 2 in the year 2011. There is fact in the F.I.R. that after marriage she was tortured for fulfillment of demand of dowry and even once a bond was got executed from the petitioners side which was executed in presence of the concerned Mukhiya and thereafter the victim was taken away by the petitioners with assurance that subsequently there will be no torture. The informant has stated that he received telephone call from his father and he was

informed that his sister has been set ablaze by the accused persons and she was perhaps referred to the Purnia Hospital where subsequently the victim died .

In view of specific accusation made in the F.I.R. there cannot be a case for grant of anticipatory bail.

The petition stands dismissed.

(Rakesh Kumar, J)

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