

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28103 of 2016

Arising Out of PS.Case No. -74 Year- 2016 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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1. Asha Devi wife of Ratnesh Singh @ Ratnesh Prasad Singh
2. Ratnesh Singh @ Ratnesh Prasad Singh son of Chandrashekhar Singh
Both R/o village- Chhoti Aghu, P.S.- Muffasil District- Begusarai.
..... Petitioner/s

Versus

1. The State of Bihar
..... Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha
Mr. Chandan Kumar Kashyap
For the Opposite Party/s : Mr. Sri Shubhesh Pandey
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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**
ORAL ORDER

3 02-09-2016 Heard both sides.

The petitioners apprehend their arrest in Begusarai Muffasil P.S. Case No. 74 of 2016, registered for the offences punishable under Sections 304(B), 201/34 of the Indian Penal Code.

Shailendra Singh, the informant alleged that his niece Swati Kumari @ Mona Kumari was married on 11th June, 2015 with Ajay Singh, son of the petitioners. Many articles were given to the petitioners, but the accused persons demanded Rs. 5,00,000/- as additional dowry. On 17.02.2016, the informant got information that his niece Swati Kumari was burnt to death and the accused persons were taking the dead body to funeral ground.

Learned counsel for the petitioners submits that the petitioners are mother-in-law and father-in-law of the deceased. No specific allegation is made against the petitioners. Petitioners have

never demanded any dowry. The informant after marriage and before death of his niece never complained about any ill-treatment at the hands of the petitioners.

Learned counsel for the informant as well as learned Additional P.P. while opposing the prayer of anticipatory bail submits that the petitioners have been found absconder and in that event anticipatory bail is not maintainable.

It appears that no specific allegation is made against the petitioners of demand of dowry.

Having considered the facts that the process under Section 83 of the Cr.P.C. was not completed, there is no specific allegation of demand of dowry and torture against the petitioners, petitioners are mother-in-law and father-in-law of the deceased, the petitioners above named 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, Begusarai in connection with Begusarai Muffasil P.S. Case No. 74/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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