

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7002 of 2016

Arising Out of PS.Case No. -202 Year- 2015 Thana -DHURAIYA District- BANKA

1. Mukesh Kumar Mandal Son of Laxmi Mandal
2. Sumitra Devi Wife of Laxmi Mandal all are residents of Village - Batsar,
P.S. Dharaiya, District - Banka.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. T.N.Thakur(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 08-04-2016 Heard learned counsel, appearing on behalf of the
petitioners, and the learned Addl. Public Prosecutor, appearing on
behalf of the State.

This application for grant of anticipatory bail arises out
of Dhoraiya P.S.Case No. 202/2015, disclosing offences under
section 302 of the Indian Penal Code and 3/4 of the Dowry
Prohibition Act.

Petitioner no.2 is the mother-in-law of the deceased,
whereas petitioner no.1 is the brother of the husband of the
deceased. A complaint case filed by the informant is the basis for
institution of the present F.I.R.. It transpires that the date of
occurrence is 10.8.2015 for which complaint case was lodged on
10.9.2015. Though there is explanation in the complaint petition

for delay in its institution, it appears that the allegation of demand of dowry and torture therefor is quite general and omnibus.

It is submitted on behalf of the petitioners that in no event, a case punishable under section 302 of the I.P.C. can be said to have been made out on the basis of allegations, contained in the complaint petition.

Considering the above, the provisional bail granted to the petitioners vide order dated 15.3.2016, in Dhoraiya P.S.Case No. 202/2015 pending in the court of the Chief Judicial Magistrate, Banka is, hereby, confirmed.

(Chakradhari Sharan Singh, J)

Surendra/-

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