

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40825 of 2016

Arising Out of PS.Case No. -17 Year- 2016 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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1. Shanti Devi wife of Kushar Sahni Resident of Village- Koiriya Tola,
P.S.- Bagaha, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Nath Tiwary

For the Opposite Party/s : Mr Parmeshwar Mehta,APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 23-09-2016 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

This application for anticipatory bail arises out of
Bagaha P.S. Case No. 17 of 2016, disclosing offences under
Sections 304B and 201/34 of the Indian Penal Code.

Petitioner is mother-in-law of the deceased.
Allegedly, the deceased was married to petitioner's son four
years ago before the date of occurrence. It is also alleged
that the accused persons used to make demand for dowry
and torture the deceased variously therefor.

Learned counsel for the petitioner has submitted
that there is no allegation that soon before the date of death
of the deceased, there was any demand of dowry so as to
constitute offence under Section 304B of the Indian Penal

Code. It has also been submitted that the allegation of demand of dowry is general against all the family members, in the First Information Report.

Considering the above submission and the fact that the petitioner is a lady, this application is allowed. Let petitioner above-named in the event of her arrest/surrender within four weeks from today in the Court below be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Bagaha, West Champaran in Bagaha P.S. Case No. 17 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present herself before the police/Court, as the case may be, as and when required and in the event of failure on her part to appear before the Court on two consecutive occasions, her bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-c

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