

TTIN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44115 of 2015

Arising Out of PS.Case No. -116 Year- 2015 Thana -BIKRAM District- PATNA

Bindu Sao, S/o Binod Sao R/o village - Milki, P.S. Bikram, Distt. - Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.44201 of 2015

Arising Out of PS.Case No. -116 Year- 2015 Thana -BIKRAM District- PATNA

Ram Dai Devi, W/o Binod Sao, R/o Village- Milki, P.S.- Bikram, Distt. Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In both the cases)

For the Petitioners : Mr. Shambhu Sharan Singh,
Mr. Sanjay Kumar @ Manu, Advocates
For the informant : Mr. A. K. Pandey, Advocate
For the State : Md . Ansural Haque (App)

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

4 29-02-2016 Heard learned counsel for the petitioners, the State and the informant.

Petitioners apprehend their arrest in a case filed under Sections 304 (B), 201, 120B/34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Petitioner, Bindu Sao, is the husband of the



deceased whereas Ram Dai Devi is the mother-in-law of the deceased. As per the allegation made in the first information report, the petitioner, Bindu Sah was married to the deceased on 19.05.2014, however, it is alleged that in-laws were always demanding dowry in the nature of vehicle, gold chain etc. Thereafter, the gold chain and vehicle were given to Bindu Sah, however, for gold ear-ring, the accused persons had killed the deceased and got her dead body cremated at Gulbi Ghat.

Learned counsel for the petitioners submits that there is general and omnibus allegation against the accused persons and in fact the family members of the petitioners were demanding the dowry etc. and not the petitioners.

In view of the fact that death took place after one year of marriage, though the petitioners claim that parents of the deceased were present at the time of cremation, nothing has come during the course of investigation in that regard and also the fact that the dead body has been cremated without post-mortem having been done and there is nothing on record to show that the deceased was ill and was treated etc., this Court is not inclined to grant privilege of anticipatory bail to the husband, Bindu Sao (petitioner of Cr. Misc. No.44115/2015) and , as such, his prayer for bail is rejected.

However, in view of the fact that the petitioner of Cr. Misc. No.44201 of 2015 is a lady and admittedly father-in-law of the deceased has already been granted regular bail by a co-ordinate Bench of this Court, in the event of arrest/surrender within a period of six weeks from today in Bikram P.S. case no.116 of 2015, the above named petitioner, Ram Dai Devi (petitioner of Cr. Misc. No.44201/2015) shall be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Randheer Kumar, J.M. 1st Class, Danapur, Patna subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

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