

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43066 of 2016

Arising Out of PS.Case No. -55 Year- 2016 Thana -JANDAHA District- VAISHALI(HAJIPUR)

- =====
1. Naresh Rai @ Niras Rai, Son of Machhu Rai,
 2. Tetari Devi, Wife of Naresh Rai @ Niras Rai
 3. Rahul Rai son of Naresh Rai @ Niras Rai, All are resident of Village- Mukundpur Bhath, P.S.- Jandaha, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur,
With Mr. Md.Imteyaz Ahmad

For the Opposite Party/s : Mr. Sri Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 26-10-2016 Heard learned counsel for the parties.

This application for grant of anticipatory bails arises out of Jandaha Police Station case No. 55 of 2016, disclosing offences under Sections 304B and 201/34 of the Indian Penal Code.

Petitioner No.1 is the father-in-law of the deceased, whereas, petitioner No.2 is her mother-in-law. Petitioner No.3 is the younger brother of the husband of the deceased.

Learned counsel for the petitioners, referring to the First Information Report, has submitted that there is no allegation in the First Information Report of demand of dowry made, before the death of the deceased. He has further submitted that merely on the

basis of suspicion, the First Information Report has been lodged.

Learned counsel appearing on behalf of the informant, on the other hand, has opposed the prayer for anticipatory bail and has submitted that since the body of the deceased was got disappeared, the petitioners do not deserve the privilege of anticipatory bail.

However, considering the submission that there is no allegation in the First Information Report of demand of dowry before the death of the deceased and implication of these petitioners is based on suspicion, this application is allowed.

Let the petitioners above named in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XI, Vaishali at Hajipur in Jandaha P.S. Case No. 55 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 petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail

bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

