

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47623 of 2015

Arising Out of PS.Case No. -103 Year- 2015 Thana -BHANGWANPUR HAT

District- SIWAN

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1. Sattar Ansari, Son of Lal Mohammad,
2. Salama Khatoon, Wife of Sattar Ansari,
3. Muni Khatoon, D/o Sattar Ansari,
4. Soni Khatoon, D/o Sattar Ansari,

All residents of Ghurhu Kothia, P.S. - Dariapur, District - Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Mishra, Adv.

For the State : Mrs. Anita Kumari (APP)

For the Informant : Mr. Raghav Prasad, Adv.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

5 29-04-2016 Heard learned counsel for the petitioners,
learned Additional Public Prosecutor for the State and
learned counsel appearing on behalf of the informant.

This application, for grant of anticipatory bail,
arises out of Bhagwanpur P.S. Case No.103 of 2015,
disclosing offences under Sections 341, 323, 304(B), 201,

498A and 406 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

A complaint case, filed by the brother of the victim, is the basis for registration of First Information Report. Upon perusal of the complaint petition, it is noticed that the marriage was solemnized on 21.02.2015. There is no specific date mentioned in the complaint case, but it is alleged that the victim is missing and there was demand of dowry by the accused persons, including the present petitioners. On a suspicion that the accused persons might have killed the victim for non-fulfillment of the demand of dowry, the complaint case, bearing Complaint Case No.1215 of 2015, and the present First Information Report came to be registered.

Petitioner Nos.1 and 2 are father-in-law and mother-in-law of the alleged victim. Petitioner Nos.3 and 4 are daughters of petitioner Nos.1 and 2.

Learned counsel for the petitioners has submitted that no offence, under Section 304(B) of the Indian Penal Code, is made out against these petitioners, even if the allegations, contained in the complaint petition, are treated to be true. No offence can be said to be made out only on the basis of suspicion.

On perusal of the complaint petition, I find that

there is no specific allegation against these petitioners.

Considering the above, this application is allowed. Let the petitioners, abovenamed, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **Shri M.K. Srivastva, learned learned Judicial Magistrate, Siwan,** in connection with **Bhagwanpur P.S. Case No.103 of 2015**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners, abovenamed, 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.)

Praveen-II/-

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