

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51760 of 2015

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1. Ram Kumar Singh son of late Ganesh Singh
2. Parwati Devi wife of Ram Kumar Singh
3. Rajiv Kumar Singh alias Bablu Singh son of Ram Kumar Singh
4. Rahul Kumar alias Sonu Singh, Son of Ram Kumar Singh All resident of Mohalla West Lohanipur, Police Station Kadam Kuan, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Nayana Choubey, Sr. Advocate
With Mr. Ashok Kumar Garg

For the Opposite Party/s : Mr. Satyendra Narayan Singh(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

7 09-05-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for anticipatory bail arises out of Kadam Kuan P. S. Case No. 334 of 2015, disclosing offences under Sections 304B of the Indian Penal Code and section 3 of the Dowry Prohibition Act.

The petitioners No. 1 and 2 are father-in-law and mother-in-law of the deceased. The petitioners No. 3 and 4 are sons of petitioners No.1 and 2. Husband of the deceased, Rakesh Singh is in jail.

Learned Senior counsel appearing on behalf of the petitioners, referring to the First Information Report, has



submitted that no offence under Section 304B of the Indian Penal Code is made out for the reason that the deceased was married to son of petitioner Nos. 1 and 2 more than seven years before the date of her death. It has further been submitted that there is no allegation of any demand of dowry soon before the death of the deceased and, therefore, also no offence under Section 304B of the Indian Penal Code can be said to be made out. It has also been submitted that the police, in course of investigation, have found no material against these petitioners and charge-sheet has been submitted against the husband of the deceased only.

Considering the facts and circumstances of the case and the submissions so advanced, 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 Sri Anant Kumar, learned Judicial Magistrate, Ist Class, Patna in Kadam Kuan P. S. Case No. 334 of 2015, 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)

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