

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30429 of 2017

Arising Out of PS.Case No. -81 Year- 2017 Thana -KUDRA District- BHABHUA (KAIMUR)

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1. Grees Narayan Yadav Son of late Ramadhar Yadav
 2. Kaushalya Devi wife of Grees Narayan Yadav
 3. Santa alias Santara alias Santra Rai, daughter of Grees Narayan Yadav
All resident of village Sareya, P.S. Kudra, District Kaimur at Bhabua

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Sri Ramchandra Sahani

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 18-08-2017 Heard learned counsel for the parties.

This application for grant of bail arises out of Kudra P.S. Case No. 81 of 2017, disclosing offence under Section 498A/34 of the Indian Penal Code and Sections 3 of the Dowry Prohibition Act.

It appears that the victim died during the course of treatment, whereafter Section 304B of the Indian Penal Code said to have been added.

Petitioner are the father-in-law, mother-in-law and sister of the husband of the deceased.

Learned counsel for the petitioner has submitted that it is evident from the First Information Report that the victim herself consumed poison. He has next submitted that allegation of



demand of dowry as alleged in the First Information Report is general and not specific against these petitioners.

Learned counsel for the Informant and the learned Additional Public Prosecutor appearing on behalf of the State have submitted that since the marriage was solemnized within seven years of the date of the occurrence, offence under Section 304B is made out, there being allegation of demand of dowry also.

I have perused the case diary and I have considered the submissions advanced on behalf of the parties.

From the case diary, it appears, *inter alia*, that there is evidence to suggest that there was quarrel between the husband and the wife, just before the date of occurrence, over some differences between them.

Considering the fact that the allegation of demand of dowry against these petitioners is general in nature, this application is allowed.

Let the petitioners above named in the event of their arrest/surrender within six 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 Judicial Magistrate First Class, Bhabua, Kaimur in Kudra P.S. Case No. 81 of 2017, 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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