

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43170 of 2017

Arising Out of PS. Case No.-523 Year-2017 Thana- SASARAM NAGAR District- Rohtas

Heera Chandrabanshi , son of Late Radha Singh
2. Urmila Devi, wife of Heera Chandrabanshi,
3. Mannu Kumar @ Munnu Chandrabanshi @ Monnu Chandrabanshi, son of
Heera Chandrabanshi, all R/o Village- Varadih, P.S.- Tilauthu, District-Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy

For the Opposite Party/s : Mr. SRI RAM BILASH ROY RAMAN

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 21-09-2017 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Budha Sasaram (Model) P.S.Case N0. 523 of 2017, disclosing offences under Sections 304B/34 of the Indian Penal Code.

On perusal of the First Information Report, I find that there is no allegation of any demand of dowry made from the family members of the deceased, let alone such demand soon before the death of the deceased.

Learned counsel for the petitioners, in such circumstance,



is correct in his submission that strictly speaking, no offence under Section 304B of the Indian Penal Code is made out on the basis of what has been alleged in the First Information Report. Further, there is nothing specific in the First Information Report showing involvement of these petitioners in the death of the deceased. It may be noted that the petitioner No.1 is father-in-law and petitioner No.2 mother-in-law of the deceased whereas petitioner No.3 is brother of the husband of the deceased.

Considering the aforementioned facts, 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)each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas at Sasaram in Sasaram (Model)P.S. Case No. 523 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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