

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53309 of 2017

Arising Out of PS.Case No. -288 Year- 2017 Thana -MANER District- PATNA

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1. Radhika Devi, age 60 Years, W/o Krishna Rai,
 2. Krishna Rai aged 62 Years, S/o Late Mahendra Rai,

Both R/o Village- Ganghara Sherpur, P.S.- Maner, District- Patna.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Y. C. Verma, Sr. Advocate
Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 19-12-2017 Heard Mr. Y. C. Verma, learned Senior Advocate

for the petitioners and Mr. Suresh Prasad Singh, learned

Additional Public Prosecutor for the State.

The petitioners seek pre-arrest bail in connection
with Maner P. S. Case No. 288 of 2017 registered under
Sections 304-B and 201/34 of the Indian Penal Code.

It is submitted by the learned Senior Advocate
appearing on behalf of the petitioners that save and except
general and omnibus allegation made against the petitioners,
there is no other material to connect the petitioners with the
alleged offence. He submitted that the main allegation is against
the husband of the victim, who is already in jail, that he
demanded Rs.2 lacs. from the parents of his wife for purchase
of a tempo for doing business and for non-fulfilment of the



same, if any untoward incident occurred, the petitioners cannot be prosecuted for the offence punishable under Section 304-B of the Indian Penal Code.

On the other hand, learned Additional Public Prosecutor for the State submitted that in case, a married woman dies in other than natural circumstances in her matrimonial home within seven years of marriage, soon before her death, the husband and his relatives would be presumed to have caused dowry death.

Be that as it may, without going into the merits of the arguments, considering the gravity of the offence, I am not inclined to grant pre-arrest bail to the petitioners. Accordingly, the application for grant of pre-arrest bail is rejected.

However, in case the petitioners surrender and seek bail, the same shall be considered on its own merit without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J.)

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