

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61699 of 2017

Arising Out of PS. Case No.-14 Year-2017 Thana- MAHESI District- East Champaran

1. Surendra Prasad Chaurasiya, Son of Late Basudeo Bhagat Resident of Village - Chintamanpur, P.S. - Mehsi, District - East Champaran.
2. Reeta Devi, Wife of Surendra Prasad Chaurasiya, Resident of Village - Chintamanpur, P.S. - Mehsi, District - East Champaran.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Singh
For the Opposite Party/s : Mr. ANIL KUMAR

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-12-2017 Learned counsel for the petitioners is permitted to make necessary correction in the petition.

Heard learned counsels for the petitioners and State.

The petitioners being the parents of the husband of the victim are apprehending arrest in a case registered for the offences punishable under Sections 304B/34 of the IPC and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case, as per the written report of Sintu Kumar Chaurasiya is to the effect that his sister, Sunita Kumari was married with Ravi Kumar, the son of the petitioners in the year 2014, but subsequently, additional demand of dowry of Rs. 2 lakhs was made and for non-fulfillment of the same, torture



was inflicted upon the sister of the informant. Earlier, the informant had pacified the matter, but subsequently, on 30.01.2017, petitioner no.1 conveyed to the informant that the condition of sis sister, Sunita Devi, is not well, though she was being given medical assistance also. The informant was planning to visit the in-laws house of his sister, but in the meantime, the accused persons informed that the victim died and hence, they are returning from Muzaffarpur, where the victim was treated.

It is submitted by learned counsel for the petitioners that accusation is not specific against the petitioners. The thrust of accusation is against the husband of the victim, who has been granted default bail under Section 167 of the Cr. P.C., since the investigation was not concluded.

It is further submitted that as per own admission of the informant, he was informed about the illness and death of the victim and after three years of marriage, accusation of demand of dowry appears to be unreasonable.

Learned APP submits that the petitioners are named in the FIR and the accusation is omnibus and general against entire in-laws family.

Considering the fact that thrust of accusation is against the



husband, who has been granted bail, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Motihari in connection with Mehsi P.S. Case No. 14 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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