

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58276 of 2017

Arising Out of PS.Case No. -220 Year- 2017 Thana -KANTITHARMAL POWER District -
MUZAFFARPUR

- =====
1. Raja Sah @ Raja Kumar, son of Sri Mohan Sah,
 2. Mohan Sah @ Mohan Sahani, son of Late Girja Sah,
 3. Rani Devi, wife of Mohan Sah,
 4. Soni Devi @ Soni Kumari, daughter of Mohan Sah, all resident of Village- Sadatpur, P.S.- Kanti, Distt.- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1, Advocate

For the Opposite Party/s : Mr. Ram Bachan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 19-12-2017

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Kanti P.S. Case No.220 of 2017** instituted for the offence under Section(s) 304-B/34 Indian Penal Code.

Counsel for the petitioners has submitted that petitioner nos.2, 3 and 4 are father-in-law, mother-in-law and sister-in-law of the deceased. They have no concern with day to day affairs of the husband and wife.

In the facts and circumstances of the case, prayer of the petitioner nos.2, 3, and 4 for grant of anticipatory bail is allowed. In the event of surrender/arrest of the **petitioner nos.2,**



3 and 4, named above, within six weeks from today in connection with **Kanti P.S. Case No.220 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of `10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Sub-Divisional Judicial Magistrate, Muzaffarpur**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

So far as petitioner No.1, Raja Sah @ Raja Kumar is concerned, he is husband of the deceased. There is allegation in the written report that the informant received information that her daughter has been done to death for non-fulfillment of demand of dowry. The informant found black spot around the neck of deceased when he reached the place of occurrence.



In view of such, this Court is not inclined to extend the privilege of anticipatory bail to the petitioner no.1, who is husband of the deceased.

Accordingly, prayer of the petitioner no.1 for grant of anticipatory bail is **rejected**.

Petitioner no.1 may surrender before the Court below and seek regular bail, which shall be considered and disposed off in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

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