

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28762 of 2017

Arising Out of PS. Case No.-276 Year-2016 Thana- HARSIDHI District- East Champaran

1. Dukhan Ram
2. Kaushlya Devi Wife of Dukhan Ram.
Both Resident of Village-Dhawahi, Police Station-Hatsidhi,
District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 11-08-2017 Learned Counsel for the petitioners, at the very outset, submits that petitioner no. 1 has been arrested during the pendency of this case and this application, so far as it relates to petitioner no. 1, has become infructuous.

This application is, accordingly, dismissed as having become infructuous so far as it relates to petitioner no. 1, namely, Dukhan Ram.

Heard learned Counsel for the petitioner no. 2 and learned Additional Public Prosecutor representing the State of Bihar.

This application, for grant of anticipatory bail, arises out of Harsidhi Police Station Case No. 276 of 2016, disclosing



offence under Sections 498A/304B/34 of the Indian Penal Code.

The petitioner no. 2 is the mother-in-law of the deceased.

Learned Counsel for the petitioners has submitted that there is nothing specific against petitioner no. 2 to substantiate allegation of demand of dowry.

Considering the fact that the petitioner no. 2 is a lady and there is no direct allegation against her, this application is allowed.

Let the petitioner no. 2, Kaushlya Devi, in the event of her arrest or surrender before the Court below within a period of six weeks from today, 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 Chief Judicial Magistrate, East Champaran, at Motihari, in connection with Harsidhi Police Station Case No. 276 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure, 1973.

This is subject to the condition that the petitioner no. 2 shall present herself before the Police/Court, as the case may be, as and when required and in the event of failure on her part to appear before the Court below on two consecutive occasions,



her bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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