

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39465 of 2018

Arising Out of PS. Case No.-228 Year-2017 Thana- CHIRAIYA District- East Champaran

Sita Devi, Wife of Late Naresh Tiwari, Resident of Village- Meerpur, Police Station- Chiraiya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar,

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Adv.

For the Opposite Party/s : Sri Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-07-2018 Heard learned Counsels for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 304B/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report dated 03.08.2017 submitted by Ravi Shankar Pathak to the Station House Officer, Chiraiya Police Station is to the effect that the informant's sister, Anita Devi was married with Shatrughan Tiwari in the year 2011, but subsequent to marriage, further dowry demand of a motorcycle, a gold chain and cash of Rs.50,000/- was made and subsequently, the sister of the informant was killed by the husband and in-laws family members.



It is submitted by learned counsel for the petitioner that from perusal of the written report, it appears that the gap between the marriage and the death of the sister of the informant is more than seven years and this is the reason the specific date of marriage has not been given in the written report. The accusation is omnibus and general. Accusation of demand of further dowry is specific against the husband of the victim, who is in custody. The petitioner is an old widow and claims to reside separately from the husband of the victim. It is further submitted that co-accused have been granted anticipatory bail by a co-ordinate Bench of this Court vide Criminal Miscellaneous No. 63141 of 2017.

It is submitted by learned APP for the State that there is specific accusation against the entire in-laws family of the victim, including the petitioner.

Considering the thrust of accusation against the husband of the victim, who is in custody, the petitioner being old widow and co-accused have been granted anticipatory bail, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Motihari, East Champaran, in connection with Chiraiya P.S.



Case No.228 of 2017, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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