

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62295 of 2017

Arising Out of PS.Case No. -14 Year- 2017 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Vidya Nand Chaurasia, S/o Late Basudeo Bhagat, R/o Vill.- Chintamanpur, P.S.- Mehshi, District- East Champaran.
2. Shambhu Chaurasia @ Shombhu Prasad Chaurasia S/o Late Basudeo Bhagat, R/o Vill.- Chintamanpur, P.S.- Mehshi, District- East Champaran.
3. Sharmila Devi @ Babli Devi W/o Shambhu @ Shambhu Prasad Chaurasia, R/o Vill.- Chintamanpur, P.S.- Mehshi, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ram Kishore Singh, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-01-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor of the State.

The petitioners are apprehending their arrest in connection with Mehshi P.S.Case No. 14 of 2017 registered for offences punishable under Sections 304 (B)/34 of the Indian Penal Code and Section 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 Chaurasiya, son of the Surendra Pd. Chaurasiya and after marriage all petitioners began to demand dowry. Earlier, the informant had pacified the matter, but



subsequently, on 30.01.2017, petitioner No. 1 conveyed to the informant that the condition of his 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.

It is further submitted by the learned counsel for the petitioners that the petitioners are cousin father –in-law and mother-in-law of the deceased victim whereas the real father-in-law and mother-in-law of the victim girl has already been granted Anticipatory bail by this Court by order dated 21.12.2017, passed in Cr. Misc. No. 61699 of 2017, hence, the petitioners' case stand



on a better footing, hence, they should be extended the privilege of anticipatory bail.

Accordingly, the above named petitioners are directed to be released on anticipatory bail in the event of arrest or surrender within six months on furnishing bail bonds of Rs. 10,000/-(Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Motihari in connection with Mehasi P.S.Case No. 14 of 2017, subject to the conditions enumerated under Section 438 (2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

Sudha/-

U		T	
---	--	---	--

