

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57880 of 2018

Arising Out of PS. Case No.-59 Year-2016 Thana- GAURICHAK District- Patna

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1. Chandradeep Rai @ Chandradeo Rai, S/o- Late Bodhi Rai,
 2. Barfi Devi, W/o- Chandradeep Rai @ Chandradeo Rai.
- Both Residents of Mahajani, P.S.- Gaurichak, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar, Adv.

For the Opposite Party/s : Mr. Suresh Prasad Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioners and learned
APP for the State.

It is submitted by learned counsel for the petitioners that petitioner no.1 has been arrested, hence his application with regard to anticipatory bail has become infructuous.

Accordingly, present application with regard to petitioner no.1 is disposed of as infructuous.

So far as petitioner no.2, being the mother of the husband of the informant is concerned, she is apprehending arrest in a case registered for the offences punishable under Sections 302 and 201/34 of the Indian Penal Code. Though, the certified copy of the FIR reflects that the case was registered under Section 302 IPC, but the impugned order suggests that the case was



registered under Section 304B IPC also.

The prosecution case as per the written report of Surendra Prasad, dated 07.03.2016, submitted to the Station House Officer, Gaurichak Police Station is to the effect that the informant's daughter, Soni Devi was married with one Raj Kisore Rai, the son of the petitioners, about four years prior to the lodging of the present case. Subsequent to the marriage, the husband of the victim demanded further dowry of Rs. One lac, and for non-fulfillment of the same, torture was inflicted upon her. On 07.03.2016, petitioner no.1, Chandradeo Rai informed the informant about the death of the victim and when the informant went to in-laws house of her daughter then he came to know that the accused persons have killed her daughter for non-fulfillment of the dowry demand.

It is submitted by learned counsel for the petitioner that thrust of accusation is against the husband of the victim, who is in custody. The petitioner no.2 is an old lady. There is no specific accusation against her.

It is submitted by learned APP for the State that the petitioner no.2 is named in the FIR.

Considering the thrust of accusation against the husband of the victim and the petitioner no.2, being an old lady,



let the above named petitioner no.2 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 ACJM, Patna City in connection with Gaurichak P.S. Case No. 59 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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