

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70152 of 2018

Arising Out of PS. Case No.-86 Year-2018 Thana- DAGARUA District- Purnia

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1. Shaida Khatoon wife of Md. Wasik
 2. Md. Wasik son of Late Abul Both Resident of Village- Belgachhi, P.S. Dagasuwa, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Singh

For the Opposite Party/s : Mr. Panchanand Pandit

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-12-2018 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 304B/34 of the IPC.

The prosecution case as per the written report of Md. Mahtab dated 24.5.2018 submitted to the SHO, Dagaruwa Police Station is to the effect that on 23.3.2018 the neighbour of the informant, namely, Md. Ehtesam enticed away the daughter of the informant, namely, Sama Parween. Subsequently, on 24.3.2018 they performed court marriage. Thereafter the issue was reconciled but subsequently dowry demand of Rupees Two Lacs and motorcycle was made and due to non-fulfillment of the



same, the informant came to know on 24.5.2018 through someone that his daughter has been killed by the accused persons by brutally assaulting and administering poison to her.

It is submitted by learned counsel for the petitioners that since it was admittedly a love marriage, hence there was no occasion for the accused persons to demand for dowry. The accusation is general and omnibus. The thrust of accusation is against the husband of the victim. Moreover, the accusation is not corroborated from the postmortem report and the cause of death has not been ascertained by the doctor.

Learned APP submits that the petitioners are named in the FIR.

Considering the nature of accusation being general and omnibus and the nature of injury not being corroborated by the medical report, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Purnea in connection with Dagaruwa P.S. Case



No.86 of 2018 subject to the conditions laid down in
Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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