

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50021 of 2018

Arising Out of PS. Case No.-64 Year-2018 Thana- MAHNAR District- Vaishali

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1. Ram Kripal Pandit Son of- Jagal Pandit
 2. Babita Devi, Wife of- Ram Kripal Pandit Both are resident of Village- Alipur Hatta, P.S.- Mahnar, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sunita Devi, wife of Bhramdev Pandit, resident of Village- Bidhupur, Ramdauli, P.S. Bidhupur, District Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Sri Shailendra Kumar -2

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 03-12-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 304B, 201 read with Section-34 of the Indian Penal Code.

The allegation against the petitioners is of torturing and causing the death of the deceased due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioners that the petitioners have got no antecedent and there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. The petitioners are the father-in-law and mother-in-law of the deceased. They are



separate in mess and property from husband of the deceased. They have no concern with the alleged occurrence.

On behalf of the State and the counsel for the informant, it is submitted that the petitioners are named in the F.I.R. On the alleged date of occurrence, the husband of the deceased was not present. The witnesses in the case diary have alleged that the deceased has been done to death by sprinkling acid on her. The said fact finds support from the postmortem report and the cause of death is said to be asphyxia from inhalation of fumes corrosive liquid (acid) and due to generalised burn and shock caused by corrosive liquid. Burn injuries were also found on the body of the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, prayer for anticipatory bail of the petitioners in connection with Mahnar P.S. Case No. 64 of 2018 is rejected.

If the petitioners surrender in the court below and seek regular bail, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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