

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15493 of 2019

Arising Out of PS. Case No.-23 Year-2018 Thana- ALIPUR District- Gaya

SMT. PARAWATI DEVI W/o- Sri Birendra Singh Resident of Village-
Kutrupur, P.S.- Alipur, District- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Akhileshwar Prasad Singh, Senior Advocate Mr. Prabhu Narayan Sharma, Advocate
For the Opposite Party/s	:	Mr. Aditya Narain Singh-1, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 13-03-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Alipur P.S. Case No. 23 of 2018 for the offence under Sections 341, 323, 498A and 304(B)/34 of the Indian Penal Code.

The petitioner is mother-in-law of the deceased. Learned Senior Counsel appearing on behalf of the petitioner has submitted that there is no specific allegation against the petitioner of having made any demand for dowry or torture therefor. Even in the First Information Report though there is vague allegation against father-in-law and other family members, there is no such allegation against this petitioner of any overt act. He has also submitted that in the absence of any allegation that soon before the occurrence there was any demand for dowry, no offence under Section 304B of the Indian



Penal Code can be said to be made out.

Considering the above submission and the facts and circumstances, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Gaya, in Alipur P.S. Case No. 23 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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