

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18250 of 2019

Arising Out of PS. Case No.-514 Year-2018 Thana- BANKA District- Banka

1. MAHENDRA SAH aged about 58 years Male, Son of Late Shiv Narayan Sah
 2. Mina Devi Female, aged about 52 years, Wife of Mahendra Sah
 3. Lal Bahadur Sah aged about 33 years, Son of Mahendra Sah
 4. Tilak Chandra Sah @ Tilak Sah aged about 27 years Male, Son of Mahendra Sah
 5. Chandan Sah @ Chandan Kumar Sah aged about 23 years, Male, Son of Mahendra
- All Resident of Village - Hijaria (Hizaria), P.s.- Barahat, Distt.- Banka.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajib Ranjan Jha
For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 01-04-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Banka (Barahat) P.S. Case No. 514/2018 corresponding to G.R. No. 2624/2018 registered under Sections 304(B)/201/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioner no. 1 is father-in-law, petitioner no. 2 is mother-in-law, petitioner no. 3 is the elder brother-in-law and petitioner nos. 4 & 5 are the younger brother-in-law of the deceased. It is submitted that so far as the husband is concerned, he is already



in custody. Learned counsel submits that as per allegations the marriage between the son of petitioner no. 1 and daughter of the informant had taken place on 30.04.2015. As per the F.I.R. the demand of dowry was being made by the son-in-law of the informant who was also threatening the daughter of the informant to kill if she would not bring the adequate dowry.

Learned counsel submits that in the F.I.R. there is no allegation that these petitioners had indulged in demanding dowry or had been threatening the daughter of the informant at any point of time. It is alleged that these petitioners had participated in the cremation of the daughter of the informant without any information to the informant. Learned counsel submits that all these petitioners are separate in mess and business from the husband of the deceased and had never indulged in committing any act of torture or demand of dowry.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case particularly the fact alleged in the F.I.R. is solely directed against the son-in-law of the informant that he was demanding dowry and was threatening the daughter of the informant, this court is willing to extent the benefit of anticipatory bail to these



petitioners, in the event of their arrest/surrender before the court below within a period of four weeks, let the above-named petitioners be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Banka, in connection with Banka (Barahat) P.S. Case No. 514/2018 corresponding to G.R. No. 2624/2018, subject to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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

