

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22139 of 2019**

Arising Out of PS. Case No.-52 Year-2003 Thana- BIDUPUR District- Vaishali

SURYA KANTI DEVI @ SURJAN DEVI, Wife of Ram Janam Rai Resident
of Village-Jurawanpur, P.S-Bidupur, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priyanka Sinha
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 09-04-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises
out of Bidupur Police Station Case No. 52 of 2003, disclosing
offence under Sections 498A and 304B of the Indian Penal
Code.

Learned Counsel appearing on behalf of the
petitioner, who is mother-in-law of the deceased, has submitted
that there is no specific allegation against her of demand of
dowry, which is general and omnibus against all the family
members. It has also been submitted that there is no allegation
that soon before the death of the deceased, any demand of
dowry was made by the petitioner or any other family members



in order to make out offence under Section 304B of the Indian Penal Code. According to her, the allegation of demand of dowry in the First Information Report is vague. She has also submitted that after having realized the correct state of affairs, even the informant is no more willing to prosecute the petitioner and other family members.

I would have otherwise entertained this application for anticipatory bail favourably in the background of nature of allegation. However, since this application has been filed more than 16 years after lodging of the First Information Report, I am not inclined to entertain this application.

This application is, accordingly, dismissed.

However, considering the nature of allegation, it is directed that if the petitioner, above named surrenders before the Court below within four weeks from today and seek regular bail, if so advised. If she does so, her application for regular bail shall be considered and disposed of on the same day by the learned Court below on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

