

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29972 of 2019

Arising Out of PS. Case No.-446 Year-2018 Thana- DHANARUA District- Patna

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1. KANTI DEVI Wife of Late Mahesh Ram Resident of Village - Sewdaha, P.S.- Dhanarua, Distt - Patna.
 2. Rajesh Ram Son of Late Mahesh Ram Resident of Village - Sewdaha, P.S.- Dhanarua, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sati Ranjan Jamaiyar
For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 16-09-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Dhanarua Police Station Case No. 446 of 2018, disclosing offences under Sections 304-B/34 of the Indian Penal Code.

The prosecution case, as per the First Information Report, is that the marriage of the daughter of the informant (since deceased) was solemnized with the son of petitioner no. 1, namely, Ranjan Ram about 5-7 years back. It has been alleged that the petitioners as well as the husband of the deceased used to demand dowry and due to non-fulfillment of the same, they used to torture the deceased, mentally and physically. Further



allegation is that due to non-fulfillment of the demand of dowry, the petitioners along with other killed the deceased by strangulation. It has further been alleged that the husband of the deceased informed the informant on phone that the deceased is serious and is suffering from diarrhoea and vomiting.

Learned Counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case due to oblique motive. He further submits that the petitioner no. 1, mother-in-law of the deceased, is 70-years of age and is working at Patna and petitioner no. 2 is devar of the deceased and is also working at Patna.

On the other hand, learned Additional Public Prosecutor vehemently opposed the prayer for bail and submits that in the case diary, witnesses have said about the involvement of the petitioners in the killing of the deceased and he further submits that the petitioners are named in the First Information Report and they used to torture the deceased for non-fulfillment of demand of dowry.

After having heard learned Counsel for the parties and taking into consideration the fact that death of the deceased has taken place within 5-7 years of marriage, I am not inclined to grant the petitioners privilege of anticipatory bail.



This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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