

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38615 of 2019

Arising Out of PS. Case No.-364 Year-2018 Thana- PUPRI District- Sitamarhi

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1. MD. JAINUL ANSARI Son of Md. Niras Ansari Resident of Village - Bachharpur Ward No. 3, P.S.- Pupari, Distt - Sitamarhi.
 2. Saimun Khatoon Wife of Md. jainul Ansari Resident of Village - Bachharpur Ward No. 3, P.S.- Pupari, Distt - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra

For the Opposite Party/s : Ms.Meena Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 26-09-2019 Petitioners seek bail in anticipation of their arrest in connection with Pupari P.S. Case No. 364 of 2018 registered for the offence punishable under Sections 304B/34 of the Indian Penal Code.

As per FIR there is allegation against the petitioners, who happen to be father-in-law and mother-in-law of the deceased, that they subjected the deceased to cruelty, mentally and physically both and caused her death.

Submission of learned counsel for the petitioners is the material collected during investigation disclosed that she committed suicide and no specific allegation has been attributed against them and moreover they are aged 54 and 50 years respectively. On the other hand, learned counsel for informant has opposed the prayer on the ground that materials available on the record disclosed that there



is allegation against them and their son that they tortured her with respect to demand of dowry, as such they do not deserve bail.

Heard learned APP also.

In view of above facts and circumstances, let petitioner No.2 being a lady, in the event of arrest or surrender, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi, in connection with Pupari P.S. Case No. 364 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immoveable property within the jurisdiction of the court concerned.

So far petitioner No.1 is concerned, in the facts and circumstances, his prayer for anticipatory bail is rejected. He may surrender and pray for regular bail.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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