

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38760 of 2019

Arising Out of PS. Case No.-261 Year-2018 Thana- SIWAN MUFFASIL District- Siwan

1. RINKI DEVI Wife of Sanjay Sah Resident of Village - Bhatwalia, P.S.- Siwan Muffasil, Distt - Siwan.
2. Kabutari Devi @ Rina Devi Wife of Abbu Sah, D/o Ram Das Sah Resident of Village - Bhatwalia, P.S.- Siwan Muffasil, Distt - Siwan.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh
For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 25-06-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Siwan Muffasil P.S. Case No. 261 of 2018 for the offence punishable under Sections 304(B), 498(A)/34 of the Indian Penal Code.

The petitioner is the mother-in-law of the deceased.

Learned counsel appearing on behalf of the petitioner has submitted that there is no specific material to suggest demand of dowry made by this petitioner and the presumption of commission of offence is rebuttable.

Be that as it may, considering the fact that the petitioner is a lady and there is no specific allegation of demand of dowry against her, 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 C.J.M., Siwan, in Siwan Muffasil P.S. Case No. 261 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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