

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42581 of 2019**

Arising Out of PS. Case No.-167 Year-2019 Thana- BHAGWAN BAZAR District- Saran

NAZMUN NISHA Wife of Md. Rafik Resident of Village - Nai Bazar, P.S.-  
Bhagwan Bazar, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Nafisuzzoha

For the State : Dr. (Mrs.) Indihar Kumari, APP

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

ORAL ORDER

2      10-07-2019

Heard learned counsel for the parties.

This is an application for anticipatory bail in connection with Bhagwan Bazar P.S. Case No. 167 of 2019, disclosing the offence under Section 304(B)/34 of the Indian Penal Code.

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

There is allegation of demand of dowry in the FIR.

Learned counsel for the petitioner has submitted that there is no specific allegation against the petitioner of having demanded any dowry and such allegation is made against all the family members. It is also submitted that there is no allegation that there was such demand of dowry made, soon before the death of the deceased, so as to make out an offence under



Section 304B of the Indian Penal Code.

Considering the above submission, this application is allowed. Let the petitioner, above named, in the event of her arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Chapra in connection with Bhagwan Bazar P.S. Case No. 167 of 2019, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present herself before the Police/Court, as the case may be, as and when required and in the event of failure on her part to appear before the court on two consecutive occasions, her bail bonds shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J)**

HR/-

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