

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45022 of 2019

Arising Out of PS. Case No.-584 Year-2018 Thana- BAKHTIYARPUR District- Patna

1. AKLU SAH @ AKLU SAW, S/o Late Saryug Sah
2. Munni Devi, W/o Aklu Sah @ Aklu Saw
Both R/o village- Naya Tola, Raghopur, P.S.- Bakhtiyarpur, District- Patna
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 01-10-2019 Heard learned counsel for the petitioners and learned
APP for State.

Petitioner no.1 is the father-in-law and petitioner no.2 is the mother-in-law of the deceased. They are seeking anticipatory bail in connection with Bakhtiyarpur P.S. Case No.584 of 2018 registered for the offences punishable under Section 304(B)/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that from a bare reading of the First Information Report it will appear that the entire thrust of the allegations are against the husband Ganesh Kumar Sah. It is alleged that the daughter of the informant had come back to the village Naya Tola, Raghopur along with her husband Ganesh Kumar Sah. It is the said Ganesh Kumar Sah who was demanding a motorcycle and was



asking the informant to get back his daughter if the demand is not fulfilled. Even the daughter of the informant had alleged that her husband was demanding motorcycle and for not bringing the same he was indulging in causing assault. It has further been alleged that on 21.11.2018 it is the son-in-law of the informant who had informed him over telephone that the deceased had left the house and had gone some where. It is also submitted that the husband is already in custody.

Learned counsel submits that so far as these two petitioners are concerned, there is absolutely no allegation of demand of dowry against them. These two petitioners are living separately in mess and business and have no concern with the family of the deceased and her husband.

Learned APP for the State has opposed the prayer for anticipatory bail as according to him these petitioners happen to be the father-in-law and mother-in-law of the deceased.

In the given facts and circumstances of the case where the specific allegation of demand of motorcycle is against the son-in-law of the informant and it is stated that the son-in-law of the informant was torturing the deceased but no specific allegations have been made against these petitioners and they are said to have been involved in the case only because they are



father-in-law and mother-in-law of the deceased, let the petitioners above named in the event of their arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Barh, Patna in connection with Bakhtiyarpur P.S. Case No.584 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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