

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54106 of 2019

Arising Out of PS. Case No.-147 Year-2017 Thana- RANIGANJ District- Araria

1. PRAMILA DEVI Wife of Tetar Mukhiya Resident of Village - Got Belshara, P.S.- Raniganj, District - Araria
2. Tetar Mukhiya Son of Late Mahabir Mukhiya Resident of Village - Got Belshara, P.S.- Raniganj, District - Araria
3. Shobha Mukhiya S/O - Tetar Mukhiya Resident of Village - Got Belshara, P.S.- Raniganj, District - Araria
4. Laxman Mukhiya Son of Late Mahabir Mukhiya Resident of Village - Got Belshara, P.S.- Raniganj, District - Araria

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 30-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Raniganj P.S. Case No. 147 of 2017 for the offence punishable under Section 304/34 of the Indian Penal Code.

It is alleged in the First Information Report that on 05.03.2017, on receiving a message from his son, the informant had proceeded to the matrimonial place of the deceased and when he reached there, he saw his daughter being taken away to hospital for treatment. Petitioner No.1 is mother-in-law, petitioner No.2 is father-in-law, petitioner No. 3 is brother of the husband of the deceased, whereas petitioner No.4 is brother of



petitioner No.2.

Learned counsel appearing on behalf of the petitioners has submitted that there is no allegation of demand of dowry in the First Information Report and, therefore, no offence under Section 304B of the Indian Penal Code can be said to be made out. He has also argued that even as per the case of the prosecution, the alleged victim was being taken to hospital for proper treatment when the informant had reached the matrimonial home of the deceased.

Considering the facts and circumstances, in my view, a case for grant of anticipatory bail is made out. This application is accordingly allowed.

Let the petitioners above named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Araria, in Raniganj P.S. Case No. 147 of 2017, 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 petitioners shall present themselves before the Police/Court, as the case



may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Pawan/-

U		T	
---	--	---	--

