

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57971 of 2019

Arising Out of PS. Case No.-162 Year-2019 Thana- CHHAURADANO District- East
Champaran

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UMRAWATI DEVI W/o Bhuteli Giri R/o village- Kovaiya Bichala Tola, P.S.-
Mahuawa, District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anshu Dhar Sharma
For the Opposite Party/s : Mr.Ajay Kumar

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

ORAL ORDER

2 13-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Chhauradano(Mahuawa) P.S. Case No. 162 of 2019, disclosing
the offence under Sections 304-B, 120-B of the Indian Penal
Code.

Petitioner is the mother-in-law of the deceased. It
appears from the First Information Report that the informant,
who is father of the deceased, has alleged that he received
telephonic information about his daughter having been killed by
the persons named in the FIR. The FIR does not disclose as to
who had informed the informant about the role of accused
persons.

Learned counsel appearing on behalf of the petitioner



has submitted that in absence of any allegation in the FIR of demand of dowry, no offence under Section 304-B of the IPC can be said to be constituted.

I find force in the submissions so advanced on behalf of the petitioner. 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 bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned SDJM, Raxaul, Motihari, East Champaran in Chhauradano (Mahuawa) P.S. Case No. 162 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 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)

Rajesh/-

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