

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56942 of 2019

Arising Out of PS. Case No.-80 Year-2019 Thana- BHANGWANPUR HAT District- Siwan

1. RAMDULARI DEVI Wife of Dudhnath Rai Resident of Village - Chougathi, P.S.- Bhagwanpur Hat, District- Siwan
2. Rajkishore Rai Son of Dudhnath Rai Resident of Village - Chougathi, P.S.- Bhagwanpur Hat, District- Siwan
3. Vimal Rai Son of Dudhnath Rai Resident of Village - Chougathi, P.S.- Bhagwanpur Hat, District- Siwan
4. Sambha Kumari D/O - Dudhnath Rai Resident of Village - Chougathi, P.S.- Bhagwanpur Hat, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey

For the Opposite Party/s : Mr.Arbind Kumar Pandey(App84)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

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

This application for anticipatory bail arises out of Bhagwanpur Hat P.S. Case No. 80 of 2019, disclosing the offence under Sections 304-B/34 of the Indian Penal Code.

Petitioner no. 1 is the mother-in-law of the deceased and petitioners no. 2, 3 and 4 are brothers and sister of the husband of the deceased.

Learned counsel appearing on behalf of the petitioners has submitted that there is no specific allegation against these petitioners of having made any demand of



dowry. He has submitted that though the date of occurrence described in the FIR is 21.04.2019 and recovery of semi-burnt dead body on the same day, there is absolutely no justification why the FIR came to be registered on 23.04.2019. He has also submitted that even the written statement was given by the informant on 23.04.2019. According to him the petitioners have been implicated falsely because they are in-laws of the deceased.

Considering the aforesaid submission, in my view, a case for grant of anticipatory bail is made out. This application is 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 bonds of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Siwan in Bhagwanpur Hat P.S. Case No. 80 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 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)

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