

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57475 of 2019

Arising Out of PS. Case No.-111 Year-2019 Thana- NOKHA District- Rohtas

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1. RAM PRASAD CHAUDHARY Son of Late Ramrup Chaudhary Resident of Village- Sheopur, P.S.- Nokha, District- Rohtas at Sasaram.
 2. Dhanwanti Devi Wife of Ram Prasad Chaudhary Resident of Village- Sheopur, P.S.- Nokha, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 12-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Nokha P.S. Case N0. 111 of 2019, disclosing offences under Sections 304B/34 of the Indian Penal Code.

Petitioner No.1 is father-in-law and petitioner No.2 is mother-in-law of the deceased.

Learned counsel appearing on behalf of the petitioners has submitted that the allegation made in the FIR does not constitute offence punishable under Section 304B of the Indian Penal Code in the absence of any allegation that the marriage was solemnized within seven years of the death of the deceased. He has further submitted that there is general and omnibus allegation of demand of dowry and torture.



On perusal of the FIR, I find substance in the submission made on behalf of the petitioners. 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 bond of Rs. 10,000/-(ten thousand)each with two sureties of the like amount each to the satisfaction of the learned ACJM-IV, Rohtas at Sasaram in Nokha P.S. Case No. 111 of 2019, 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)

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