

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59742 of 2019

Arising Out of PS. Case No.-44 Year-2019 Thana- RAFIGANJ District- Aurangabad

1. Keshav Singh @ Keshav Kumar S/o Sahajanand Sharma R/o Village- Sohsa, P.S.- Mehandia, District- Arwal. At present R/o Gola Road, P.S.- Rupaspur, District- Patna.
2. Rita Devi W/o Keshav Singh @ Keshav Kumar R/o Village- Sohsa, P.S.- Mehandia, District- Arwal. At present R/o Gola Road, P.S.- Rupaspur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate
For the Opposite Party/s : Mr. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-09-2019 Heard learned counsel for the petitioners and learned
APP representing the State.

The petitioners apprehend their arrest in connection with Rafignj P.S. Case No. 44 of 2019, registered under Sections 304(B)/34 of the Indian Penal Code Section 3/4 of Dowry Prohibition Act.

The prosecution story, as per FIR, is that the marriage of the daughter of the informant was solemnized to one Sanjiv Kumar on 16.02.2016. It has further been alleged that after sometime the son-in-law of the informant and petitioners started demanding Rs. 1,00,000/- as dowry and due to non-fulfillment of demand they used to torture the daughter of the



informant. On 19.02.2018, informant received information that his daughter has been killed, upon which informant went to the matrimonial home of the deceased. It has further been alleged that his son-in-law Sanjiv Kumar i.e. husband of the deceased killed the daughter of the informant by pressing neck.

Learned counsel for the petitioners submits that from perusal of the FIR, it would be evident that specific allegation of pressing the neck of the deceased is against the husband of the deceased and there is no allegation of assault against the petitioners. He further submits that only general and omnibus allegation of demand of dowry is against the petitioners in the FIR and the petitioners are *Nand* and *Nandosi* of the deceased.

After having heard learned counsel for the parties and taking into consideration the fact that the specific allegation is against the husband of the deceased and the petitioners are *Nand* and *Nandosi* of the deceased, I am inclined to grant anticipatory bail to the petitioners.

This application is, accordingly, allowed.

Let the petitioners, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail



bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Rafiganj P.S. Case No. 44 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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