

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77388 of 2019

Arising Out of PS. Case No.-16 Year-2019 Thana- FATEHPUR District- Gaya

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1. SANGEETA KUMARI Wife of Vinay Yadav Resident of Village - Dundu, P.S.- Gurpa, P.O. Fatehpur, Distt - Gaya.
 2. Satiya Devi Wife of Shankar Yadav Resident of Village - Dundu, P.S.- Gurpa, P.O. Fatehpur, Distt - Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 17-12-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Fatehpur (Gurpa O.P.) P.S. Case No. 16 of 2019, disclosing the offence under Sections 304-B/ 34 of the Indian Penal Code.

Petitioner no. 1 is the sister of the husband of the deceased, whereas petitioner no. 2 is the mother-in-law of the deceased.

Learned counsel appearing on behalf of the petitioners, referring to the First Information Report, has submitted that there is vague allegation of demand of dowry against all members of the family of the husband. He has submitted that there is no allegation in the FIR that soon before the death of the deceased, any demand of dowry was made to make out an offence under Section 304-B of the Indian Penal



Code. He has further submitted that names of the petitioners have been mentioned in the FIR just for the sake of putting them in the column of co-accused and there is absolutely no allegation specific against them.

On perusal of the First Information Report, I find substance in submission so advanced on behalf of the petitioner.

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 bonds of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned Additional Chief Judicial Magistrate-X, Gaya in Fatehpur (Gurpa O.P.) P.S. Case No. 16 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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