

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84005 of 2019

Arising Out of PS. Case No.-137 Year-2019 Thana- PANAPUR District- Saran

1. YOGENDRA SINGH Son of Ramanand Singh Resident of Village - Karchulia, P.S.- Panapur, Distt.- Saran.
2. Lalti Devi W/o Yogendra Singh Resident of Village - Karchulia, P.S.- Panapur, Distt.- Saran.
3. Chuni Devi @ Chunni Devi W/o Jitendra Singh Resident of Village - Karchulia, P.S.- Panapur, Distt.- Saran.
4. Vijay Kumar Singh Son of Late Satyanaryan Singh Resident of Village - Karchulia, P.S.- Panapur, Distt.- Saran.
5. Rakesh Singh @ Rakesh Kumar Singh Son of Akhilendra Singh Resident of Village - Karchulia, P.S.- Panapur, Distt.- Saran.
6. Ranjay Kumar Singh @ Ranjay Kumar Son of Ram Iqwal Singh @ Bhola Singh Resident of Village - Satjora Garitola, P.S.- Panapur, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Binode Bariar
For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2019 Heard learned counsels for the parties.

The petitioners being the parents, brother's wife and co-villager of the husband of the victim are apprehending arrest in a case registered for the offences punishable under Sections 304B and 201/34 of the IPC.

The prosecution case as per the written report of Rajnandan Singh submitted to the SHO, Panapur Police Station is to the effect that his daughter Archana Kumari was married with



Dharmendra Singh in 2011. Subsequent to the marriage, there was dowry demand of Rupees Two Lacs and due to non-fulfillment of the same, torture was inflicted upon her. On 7.7.2019, the informant received a message that his daughter has been killed by the in-laws family members and they have disposed of the dead body.

It is submitted by learned counsel for the petitioners that as per the written report itself, the marriage of the informant's daughter was performed in 2011 when the victim died in 2019, hence the case does not come within the purview of Section 304B of the IPC. It is further submitted that the informant subsequently has retracted from the initial version and has filed a petition to that effect before the learned Court below. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that there is specific accusation against the petitioners.

Considering the accusation against the petitioners being omnibus and general, thrust of accusation against the husband of the victim and as per own admission of the informant, the case does not come within the purview of Section 304B of the IPC, let the petitioners above named be



released on anticipatory bail in the event of arrest or surrender within 12 weeks 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 I, Saran at Chapra in connection with Panapur P.S. Case No.137 of 2019 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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