

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7179 of 2020

Arising Out of PS. Case No.-63 Year-2019 Thana- SALAIYA District- Aurangabad

1. MANJU DEVI Wife of Narmdeshwar Prasad Resident of Village - Jogari, P.S.- Salaiya, Distt - Aurangabad (Bihar)
2. Narmdeshwar Prasad Son of Late Yadunandan Lal Resident of Village - Jogari, P.S.- Salaiya, Distt - Aurangabad (Bihar)

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar, Advocate

For the Opposite Party/s : Mr.Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 01-07-2020 As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioners and the learned Counsel for the State.

Petitioners apprehend arrest in Salaiya PS Case No. 63 of 2019 registered under Sections 304(B) and 201/34 of the IPC.

Petitioner Nos. 1 and 2 are mother-in-law and father-in-law respectively. They are accused in a case under Sections 304(B) and 201/34 IPC.

Learned Counsel for the petitioner submits that the marriage in question of the deceased was in fact a love marriage. There was no occasion for any demand for dowry. Further it is submitted that the deceased was a patient of epilepsy and it is in the



treatment of epilepsy that she has lost her life. Reliance is placed on Annexure 2, being application filed by the informant in the court below supporting the submission of the petitioner regarding the victim suffering with epilepsy and stating that prosecution has been launched under misconception.

Learned APP for the State has opposed the prayer for anticipatory bail.

Having considered the rival submissions this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

Accordingly, let the petitioners above named, in the event of arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of SDJM Aurangabad in Salaiya PS Case No. 63 of 2019 subject to all conditions as laid down in Section 438(2) of the Criminal Procedure Code as also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioners will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

SNkumar/-

U		T	
---	--	---	--

