

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15390 of 2020

Arising Out of PS. Case No.-122 Year-2018 Thana- MINAPUR District- Muzaffarpur

1. Ajab Lal Rai S/O Late Budhan Rai
2. Rita Devi W/O Ajab Lal Rai
Both are resident of Village - Mohanpur, P.S. - Minapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Singh, Advocate

For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 13-11-2020 Heard both sides through Video Conferencing.

The petitioners apprehend their arrest in Minapur P.S.

Case No.122 of 2018(G.R. No.1330/18) registered under
Sections 302, 201 and 34 of the Indian Penal Code.

The informant filed Complaint Case No.239 of 2018
on 31.01.2018 stating therein that on 28.01.2018, his
daughter(Kavita Devi) was done to death by her husband and
other in-laws. The informant alleged in his complaint petition
that his daughter was married with Pankaj Kumar in the year
2012 and she got two children. The accused persons were
subjecting her to torture on account of non-fulfillment of
additional demand of dowry.



The learned counsel for the petitioners submits that the petitioners are father-in-law and the mother-in-law of the deceased. The petitioners never tortured the deceased. The deceased was happily living with her husband and she gave birth of two children but she suddenly fell ill and died. The informant never complained about any ill treatment at the hands of the petitioners after marriage of his daughter with the son of the petitioners during the period of about six years.

Learned A.P.P. however opposed the prayer for anticipatory bail.

From perusal of the record, it appears that petitioners are father-in-law and the mother-in-law of the deceased. The father of the deceased filed complaint petition alleging therein that his daughter was done to death by her husband and in-laws due to non-fulfillment of demand of dowry. The marriage of the deceased was solemnised with the son of the petitioners in the year 2012. The daughter of the informant died only on 28.01.2018 but the informant never complained any ill treatment on account of non-fulfillment of additional demand of dowry. During the course of investigation, the witnesses also did not make any allegation of demand of dowry and torture against the petitioners.



Taking into consideration the facts aforesaid and the fact that the petitioners are father-in-law and the mother-in-law of the deceased, let the petitioners, above named, in the event of their arrest or surrender within a period of four weeks 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 Chief Judicial Magistrate, Muzaffarpur in connection with Minapur P.S. Case No.122 of 2018(G.R. No.1330/18), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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