

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14619 of 2020

Arising Out of PS. Case No.-721 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

1. RAM SURAT MALI Son of Late Ramdhyan Mali Resident of Village- Palka, P.S.- Bhabua, District- Kaimur (Bhabua).
2. Parwati Devi Wife of Ram Surat Mali Resident of Village- Palka, P.S.- Bhabua, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-07-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioners, Sri Dhaneshwar Prasad Gupta, the learned counsel for the informant and Sri Nitya Nand Tiwary, the learned APP appearing for the State.

This is an application for grant of anticipatory bail in connection with Bhabua P.S. Case No. 721 of 2019 registered for the offence punishable under



Sections 304(B)/34 of the Indian Penal Code.

The allegation is regarding the accused persons having caused the death of the daughter of the informant on account of non-fulfillment of the demand for dowry.

The learned counsel for petitioners has submitted that the petitioners are the father-in-law and the mother-in-law of the deceased victim lady and they are residing separately, hence, they have got no complicity in the matter and moreover, the husband has already surrendered and is behind bars as is apparent from paragraph no. 10 of the present petition. It is further submitted that if anyone is having complicity in the matter, it might be the husband and not the petitioners herein.

Per contra, the learned counsel for the informant and learned APP for the State have vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the fact that the petitioners are aged



father-in-law and mother-in-law of the deceased victim lady and the husband is in custody, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Bhabua P.S.Case No. 721 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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