

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77756 of 2019

Arising Out of PS. Case No.-148 Year-2019 Thana- BARHARIA District- Siwan

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1. BRIJ KISHORE THAKUR Son of Nagendra Thakur Resident of Village- Kailtola Yogapur, P.S.- Barahariya, District- Siwan
 2. Sandhya Devi W/o Nagendra Thakur Resident of Village- Kailtola Yogapur, P.S.- Barahariya, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Kant

For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 17-03-2020 Heard learned counsel for the parties.

This application for regular bail arises out of Barahariya P.S. Case No. 148 of 2019, disclosing offence punishable under Sections 304-B, 34 of the Indian Penal Code.

Petitioner no. 1 is the husband of the deceased and petitioner no. 2 is mother-in-law of the deceased. The marriage was solemnized nearly three years before the date of death of the deceased.

Learned counsel appearing on behalf of the petitioners has submitted that so far as petitioner no. 2 is concerned, she has been implicated only because she is mother-in-law of the deceased. Petitioner no. 2 is in custody since 09.05.2019 and



petitioner no. 1 is in custody since 03.06.2019.

It is evident on reading of the FIR that a case under Section 304-B of the IPC is made out since there is allegation of demand of dowry and death of the deceased within seven years in unnatural circumstance. However, considering the fact that the allegation against petitioner no. 2 of demand of dowry is general, this application is allowed to the extent it relates to petitioner no. 2.

Let petitioner no. 2, above-named, 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 learned CJM, Siwan in Barahariya P.S. Case No. 148 of 2019.

The prayer for bail made on behalf of petitioner no. 1, who is the husband of the deceased, is rejected for the present.

(Chakradhari Sharan Singh, J)

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