

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83532 of 2019

Arising Out of PS. Case No.-172 Year-2019 Thana- BANIAPUR District- Saran

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1. KAPIL RAI @ KAPILDEV RAY Son of Late Rajan Ray Resident of Village - Khabsi, P.S.- Baniapur, Distt - Saran at Chapra.
 2. Sushila Devi Wife of Kapil Rai Resident of Village - Khabsi, P.S.- Baniapur, Distt - Saran at Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Adv.
Mr. Jitendra Kumar, Adv.
For the Opposite Party/s : Mr. Braj Kishore Pd. (App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 30-06-2020 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Baniapur P.S. Case No. 172 of 2019, disclosing the offence under Sections 304-B, 201/34 of the Indian Penal Code.

Petitioner no. 1 is father-in-law and petitioner no. 2 is mother-in-law of the deceased.

Mr. Yogesh Chandra Verma, learned Senior Counsel appearing on behalf of the petitioner has submitted that there is no specific allegation of demand of dowry against these petitioners, who have been implicated mainly because they are related to the husband of the deceased. He has further submitted that the petitioners are aged persons and there is no chance of them fleeing from the course of investigation or trial.



Learned counsel for the informant has opposed the prayer for anticipatory bail.

Considering the nature of allegation against these petitioners of demand of dowry in the FIR, in my opinion, a case for grant of anticipatory bail is made out. This application is allowed.

Let the petitioners, above-named, in the event of their arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned ACJM-XI, Saran at Chapra in Baniapur P.S. Case No. 172 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/ Court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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