

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23037 of 2020

Arising Out of PS. Case No.-71 Year-2019 Thana- DURAULI District- Siwan

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1. ANITA KUMARI Daughter of Lalan Chaurasiya Resident of Village - Hanumanpuri Ke Mathia, Police Station - Darauli, District - Siwan.
 2. Manjeet Chaurasiya Son of Lalan Chaurasiya Resident of Village - Hanumanpuri Ke Mathia, Police Station - Darauli, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

6 29-01-2021 Heard Mr. Bijay Prakash Singh, learned counsel for the petitioners and Mr. Akshay Lal Pandit, learned Additional Public Prosecutor appearing for the State.

Petitioners apprehend arrest in connection with Darauli P.S. Case No. 71 of 2019 registered for the offences punishable under Sections 304(B), 201 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The allegation as per the First Information Report is that the petitioners along with other co-accused persons have killed the daughter of the informant due to non-fulfillment of demand of dowry.

Learned counsel for the petitioners submits that the



petitioners are sister-in-law (*Nanad*) and brother-in-law (*Dewar*) of the deceased respectively. Learned counsel further submits that there is no specific allegation against the petitioners and the allegation against the petitioners are general and omnibus in nature. Learned counsel also submits that the occurrence has taken place on 16.11.2018 but the complaint has been lodged before the learned Magistrate on 07.06.2019 which has been converted into First Information Report on 03.05.2019. Learned counsel next submits that mother-in-law and another brother-in-law of the deceased have been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. 33434 of 2020. Learned counsel also submits that during course of investigation, it has come that the deceased has died due to illness during course of treatment.

On the other hand, learned counsel for the State referring to the case diary submits that in paragraphs-8 and 9 it has come to light that the deceased was suffering from some disease and was treated in the clinic of the Doctor at the instance of her husband.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that mother-in-law and another brother-in-law of the



deceased have been granted anticipatory bail by a co-ordinate Bench of this Court, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioners, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Siwan, in connection with Darauli P.S. Case No. 71 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that at the time of furnishing bails bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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