

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13536 of 2022

Arising Out of PS. Case No.-34 Year-2021 Thana- SANHAULA District- Bhagalpur

1. RANJU DEVI Wife of Bechan Tanti Resident of Village - Maheshpur, P.S. - Sanhaula, District - Bhagalpur, Bihar.
2. BECHAN TANTI Son of Late Shital Tanti Resident of Village - Maheshpur, P.S. - Sanhaula, District - Bhagalpur, Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manohar Prasad Singh, Adv

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-08-2022 Heard the parties.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under section 304B/34 of the Indian Penal Code.

Allegedly, the informant alongwith her family went to to the matrimonial house of her daughter and saw that her daughter has died due to consuming poison. The son-in-law of the informant was away from the house prior from the date of



occurrence. It is further alleged by the informant that the in-laws if her daughter were making demands for dowry and due to non-fulfillment of the same they have killed her daughter.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case only on the basis of suspicion. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners and they are the in-laws of the deceased. He further submits that just after 2 or 3 months of the marriage, the deceased started living separately with her husband and since then the petitioners and the husband of the deceased have no concern with them. The petitioners were not present at the house at the time of occurrence. Petitioners have no criminal antecedent, which is also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail and submits that the post mortem report of the deceased is described at para 30 of the case diary and on perusal of the same it appears that THIMET was detected in the contents of glass jar, thimet is commonly used in agriculture for



killing pests and is highly poisonous.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioners, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Sanhaulla P.S. Case No.34 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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