

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30468 of 2022

Arising Out of PS. Case No.-83 Year-2021 Thana- PUSA District- Samastipur

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1. SEEMA DEVI W/o Ashok Ram Resident of Village- Mahmadpur Deopar, P.S.- Pusa, District- Samastipur.
 2. Pinku Devi @ Pinchoo Devi W/o Sunil Ram Resident of Villge- Mahmadpur Koari, P.S.- Waini O.P.- District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Atul Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 05-09-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 304, 341,
323, 506, 498A/34 of the Indian Penal Code and Sections 3 and
4 of the Dowry Prohibition Act.

Learned counsel for the petitioners submits that
petitioners are persons with clean antecedent and petitioner no.
1 is the mother-in-law and petitioner no. 2 is the married sister-
in-law of the deceased.

The informant alleges that his daughter was married



to Anuj Kumar on 13.05.2021 and after marriage the accused persons including the petitioners started demanding Rs.2,00,000/- by way of dowry and on non-fulfillment of the same the deceased was subjected to physical and mental cruelty. On 19.08.2021, petitioners and their family members had threatened the informant to face the consequences for non-fulfillment of the dowry demand and on 20.08.2021 at about 01:00 p.m. the informant received telephonic information about killing of his daughter and thereafter on 22.08.2021 he received another call that the dead body is floating in the pond and thereafter he came to the place of occurrence then the present FIR came to be instituted.

Learned counsel for the petitioners submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that the informant is not an eyewitness to the occurrence and as far as allegation of demand of dowry and torture is concerned, the same is general and omnibus. As far as petitioners are concerned, it is also submitted that it is the husband of the deceased who was responsible for keeping her with full dignity and honour and if something untowards has happened within seven years of marriage, the responsibility perhaps lies entirely on the shoulder of the husband of the



deceased when the FIR does not very clearly alleges against other family members.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 connection with Pusa P.S. Case No. 83 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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