

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52470 of 2021

Arising Out of PS. Case No.-143 Year-2016 Thana- PARSABAZAR District- Patna

1. SMT. SABITA DEVI W/o Shatrudhan Thakur Resident of Kankatichak,
P.S.- Parsa Bazaar, District- Patna.
2. Sri Shatrudhan Thakur Son of ----- Residence of Kankatichak,
P.S.- Parsa Bazaar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Kumar

For the Opposite Party/s : Mr. N. N. Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 29-01-2022 Due to the third wave of COVID-19 Pandemic, the
matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For
Orders” under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioners is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks after restoration of normalcy.

Heard learned counsel for the petitioners and the
State through virtual mode.

The petitioners are apprehending their arrest in Parsa
Bazar P.S. Case No. 143 of 2016 registered under Section-
304B/34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition



Act.

Allegation against the accused persons including the petitioners is of committing torture and causing death of the victim due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioners that they have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioner Nos. 1 & 2 are mother-in-law and father-in-law of the deceased respectively. They are separate in mess and property from husband of the deceased. They have got no concern with the alleged occurrence.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

It is necessary to indicate here that this Court while considering the prayer made in the present anticipatory bail application has taken note of the exponential rise in number of covid cases due to outbreak of third wave of Covid-19 pandemic. Further this Court can also not lose sight of the fact that the condition of jails is not conducive and suitable to the present situation which has arisen due to the sudden rise in covid cases.

Considering the aforesaid facts and circumstances of the



case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Patna in connection with Parsa Bazar P.S. Case No. 143 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

A.K.V.//-

U		T	
---	--	---	--

