

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56290 of 2021

Arising Out of PS. Case No.-46 Year-2021 Thana- VAISHALI District- Vaishali

1. AASHA DEVI W/o Upendra Ray Resident of Village - Chintamanipur, P.s.- Vaishali (Belsar O.P.), Distt.- Vaishali.
2. Nitesh Kumar Son of Upendra Ray Resident of Village - Chintamanipur, P.s.- Vaishali (Belsar o.p), Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-04-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Vaishali P.S. Case no. 46 of 2021 instituted for the offence punishable under Sections 304B/34 of the Indian Penal Code.

As per allegation in the FIR, petitioners along with other family members have tortured in various ways due to non-fulfillment dowry demand to the bhagini of the informant and ultimately they killed her by hanging.

Learned counsel appearing on behalf of the petitioners has submitted that petitioner no. 1 is mother-in-law and petitioner no. 2 is brother-in-law of the deceased and have been falsely implicated in this case. They have never demanded any



thing from the informant. They have no concern with the daily activity of the deceased and her husband and are living separately. The sole responsibility to take care of wife is upon husband and not against his family members. The opinion of doctor about cause of death is reserved. Husband of the deceased is in judicial custody since 1.6.2021.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Vaishali P.S. Case no. 46 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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