

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62233 of 2021**

Arising Out of PS. Case No.-5 Year-2021 Thana- MEHANDIA District- Jehanabad

1. BALESHWAR RAJBANSHI Son of Late Trishul Rajbanshi
2. Tetari Devi Wife of Baleshwar Rajbanshi
Both Resident of Village - Jaibigha, P.S.- Mehendiya, District - Arwal.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 14-07-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent.

The informant alleges that his daughter was married to Subodh Rajvanshi in the year 2019 and, after few days of the marriage, the petitioners and other accused persons started demanding gold chain and used to physically and mentally harass the deceased. It is alleged that informant is a labourer and was unable to fulfill the dowry demand. On 14.01.2021, at about 06:00 p.m. when the informant called the victim, she did not



pickup the call and after 10-15 minutes petitioner no. 2 picked up the call but did not say anything, hence, out of suspicion informant arrived at the place of occurrence and found the dead body of the victim on her bed and saw sign of strangulation.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case and they are father-in-law and mother-in-law of the deceased. It is next submitted that the husband of the deceased is in custody and it was the duty of the husband to ensure that the wife lives with full dignity and honour. It is next submitted that even the postmortem report suggests that out of anger on account of dispute, husband may have committed the occurrence. It is next submitted that the informant on the basis of suspicion alleges that the in-laws family committed the occurrence otherwise he is not an eyewitness to the occurrence. It is also submitted that it is alleged in the FIR that the deceased was being tortured for dowry since 2019 but still no complaint or case came to be instituted against him.

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 Mehandia P.S. Case No. 05 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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