

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66992 of 2021

Arising Out of PS. Case No.-138 Year-2021 Thana- DARAUNDA District- Siwan

1. SUSHILA DEVI W/o Dinanath Prasad @ Dinanath Mahto Resident of Village - Pipara Mathiya, P.S.- Daraunda, Distt.- Siwan.
2. Ramawati Devi W/o Rajesh Prasad @ Rajesh Kumar Resident of Village - Pipara Mathiya, P.S.- Daraunda, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Tiwary, Advocate
For the Opposite Party/s	:	Mr. Ram Naresh Ray, A.P.P.
For the Informant	:	Mr. Ashok Kumar Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-07-2022 Heard learned counsel for the petitioners, the informant and 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 and are mother-in-law and elder sister-in-law of the deceased.

The informant alleges that his sister was married in the year 2018 with Suresh Mahto and after marriage accused persons including the petitioners started demanding cash and motorcycle in dowry. When the informant showed his inability to fulfill the demand, as such, she was tortured and, on



31.03.2021, he came to know that his sister has been killed for non-fulfillment of the dowry demand and the accused persons were trying to dispose of the dead body but on account of arrival of his uncle at the place of occurrence the dead body was seized and was cremated after postmortem. It is alleged that deceased also had a daughter, aged about one year, who is traceless.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case and from perusal of the allegation as alleged in the FIR, it would manifest that the allegations are general and omnibus in nature and the child is staying with the petitioners. The husband of the deceased is in custody and the father-in-law and the brother-in-law were also taken into custody but they have been released on regular bail.

Learned A.P.P. for the State and the informant opposed the prayer for anticipatory bail of the petitioners but are not able to meet the submission of the learned counsel for the petitioners that there is no specific allegation of demand of dowry against the petitioners, rather the allegations are general and omnibus in nature and the husband of the deceased is in custody.

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.5,000/- (Rupees 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 connection with Daraunda P.S. Case No. 138 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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