

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25371 of 2023

Arising Out of PS. Case No.-443 Year-2022 Thana- VAISHALI District- Vaishali

1. Nagendra Singh S/O Late Pathlu Singh Resident of village- Dumduma, P.S.- Vaishali, District- Vaishali.
2. Savitri Devi W/O Nagendra Singh Resident of village- Dumduma, P.S.- Vaishali, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kaushal Kishor, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners are apprehending their arrest in connection with Vaishali P.S. Case No. 443/2022 registered for the offence punishable under Sections 304(B)/201/34 of the Indian Penal Code (for brevity 'IPC').

Informant has alleged that her daughter was married to the son of the instant petitioners in the year 2016. It is further alleged that she has been done to death, at her matrimonial home on 06.11.2022. The death is said to be preceded by demand for dowry and cruelty for non-fulfillment of the same.

Learned counsel for the petitioner submits that normalcy



of the matrimonial relation is obvious from the fact that there were three (3) children born out of wedlock. The victim, in fact, died because she was suffering from liver problems, and this fact was well known to the informant. It is also stated that petitioner No. 1 is father-in-law and petitioner No. 2 is mother-in-law and their implication is by virtue of their relationship with the husband of the deceased. Husband is already in custody. The allegation against the petitioners is general and omnibus and no specific allegation is attributed against them.

Learned APP for the State has opposed the prayer for anticipatory bail.

Having regard to the submissions advanced by the petitioners' counsel, nature of allegations, the fact that petitioners are father-in-law and mother-in-law and clean antecedents, this Court is inclined to allow petitioners' prayer for grant of anticipatory bail.

Accordingly, let the petitioners, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in



connection with Vaishali P.S. Case No. 443/2022, subject to the following conditions:

(i) That one of the bailors of each of the petitioners will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners concerned. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

(Madhuresh Prasad, J)

Raj kishore/-

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