

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20888 of 2024

Arising Out of PS. Case No.-727 Year-2023 Thana- MANER District- Patna

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1. Babban Saw, Son Of Chandrika Saw, (FATHER-IN-LAW) Resident Of Village - Bhikhawan, Dayal Chak Manner, P.S. - Manner, District - Patna
 2. Dhanwanti Devi, Wife Of Babban Saw (MOTHER-IN-LAW), Resident Of Village - Bhikhawan, Dayal Chak Manner, P.S. - Manner, District - Patna
 3. Kundan Kumar, Son Of Babban Saw (DEWAR), Resident Of Village - Bhikhawan, Dayal Chak Manner, P.S. - Manner, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate
For the Opposite Party/s : Mrs. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this present case, the petitioners are apprehending their arrest in connection with Maner P.S. Case No. 727 of 2023, registered for the offences under Sections 304(B)/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. As per prosecution case, petitioners and co-accused husband of the sister of the informant caused dowry death on account of their demand of Rs. 5,00,000/-

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have been falsely implicated in this case. Petitioner no.1 the is father-in-law, petitioner no.2 is the mother-in-law and petitioner no.3 is the brother-in-law (*devar*) of the deceased. Petitioners have no role in the alleged occurrence. From the FIR, it also appears that the informant received information about the illness of his sister who was admitted in the hospital. If the petitioners and co-accused persons were involved in killing the sister of the informant, they could not have taken her to the hospital. Learned counsel further submits that the inquest report shows the death was caused due to poison and it appears to be a case of suicide. The co-accused husband is already in custody since 08.10.2023. Petitioner no.1 is having criminal antecedent of one case and other petitioners are having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail. Learned APP further submits that the petitioners and other co-accused persons administered poison and killed the sister of the informant.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the completely vague nature of allegation against the petitioners without any substantive material and also considering the



possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Danapur, Patna/concerned court in connection with Maner P.S. Case No. 727 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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