

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51592 of 2022

Arising Out of PS. Case No.-401 Year-2021 Thana- BIHTA District- Patna

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1. Baijanti Devi @ Vijanti Devi, W/o Late Binod Kumar Resident of Village-Daulatpur, Police Station- Bihta, District- Patna.
 2. Ritika Raushan @ Ritik Rausha S/o Late Binod Kumar Resident of Village-Daulatpur, Police Station- Bihta, District- Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

14 06-09-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The accused-petitioners, named in the F.I.R., are apprehending their arrest in connection with Bihta P.S. Case No. 401 of 2021 registered for the offences punishable under Sections 304(B), 341, 323, 201/34 of the Indian Penal Code. They have no criminal antecedent as stated in paragraph '3' of the application.

3. The allegation against the petitioners is to cause death of daughter of the informant alongwith other co-accused persons/family members due to non-fulfillment of demand of dowry, as raised for cash of Rs. 1,00,000/-.



4. Learned counsel appearing on behalf of the petitioners submitted that both petitioners implicated falsely in the present case only out of their relation as they are in-laws of the deceased daughter of the informant. It is further submitted that crux of allegation was available against husband of the deceased, who, after facing trial, has already acquitted through Session Trial No. 65/2022 and Session Trial No. 497/2023. Learned counsel submits that allegation of demand of dowry is very much general and omnibus against petitioners.

5. It is also submitted by learned counsel that during course of investigation, it appears that petitioners, who are in-laws, are living separately from the daughter of the informant and her husband since more than a decade, their houses are also separate and they are also not connected in any manner with their daily and domestic affairs of deceased daughter of the informant and her husband.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

7. In view of the aforesaid factual submissions and



by taking note of the fact as both petitioners are in-laws of the deceased daughter of the informant and *prima-facie* appears living separately having no connection with their daily and domestic affairs of the deceased and her husband, accordingly, above-named petitioners, in the event of their arrest/surrender within a period of four weeks from today, are directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - 1st, Danapur/concerned court in connection with Bihta P.S. Case No. 401 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C/Section 482(2) of the Bhartiya Nyaya Suraksha Sanhita (in short "B.N.S.S.").

(Chandra Shekhar Jha, J)

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