

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47185 of 2024

Arising Out of PS. Case No.-465 Year-2023 Thana- KUDRA District- Kaimur (Bhabua)

1. Tetari Devi Wife of Tirloki Pal R/O Vill.- Rampur, P.S.- Kudra, Dist.- Kaimur
2. Nitish Pal @ Nitish Kumar Pal Son of Triloki Pal R/O Vill.- Rampur, P.S.- Kudra, Dist.- Kaimur
3. Ramasre Pal Ramashray Kumar Pal Son of Triloki Pal R/O Vill.- Rampur, P.S.- Kudra, Dist.- Kaimur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ram Niwas Prasad
For the Opposite Party/s :	Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-08-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302, 304B and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioner nos. 1 and 2 are persons with clean antecedent and petitioner no. 3 has antecedent of one case and the informant alleges that his daughter was married to Pankaj about 18 months ago and after marriage, the accused persons including the petitioners used to torture her for non-fulfillment of the dowry demand of Rs. 3 Lakhs, motorcycle and gold jewellery, further on 04.12.2023, Pankaj gave an information to the informant on mobile that his daughter was in a very serious condition,



accordingly, he reached the matrimonial house of his daughter and saw her dead body lying on the bed with black mark present on her neck.

4. Learned counsel for the petitioners submits from bare perusal of the allegation as alleged in the F.I.R., it would manifest that the allegation of demand and torture for non-fulfillment of dowry demand is general and omnibus in nature. It is also submitted that informant himself alleges that on 04.12.2023, Pankaj had called and informed that his daughter was in a serious condition based on which he reached the place of occurrence and saw the dead body of his daughter. It is next submitted that had the petitioners been involved in the occurrence, in that event efforts would have been made to conceal the evidence and thus would not have informed the informant, but since the dead body of the daughter of the informant was lying at her matrimonial home that amply demonstrates that petitioners were not involved in the occurrence. It is also submitted that the victim committed suicide on account of differences with her husband, but then it is submitted that whenever any dispute of the nature as alleged takes place in between the husband and the wife, the entire family members are implicated in a mechanical manner with



general, omnibus and ornamental allegation. It is next submitted that husband of the deceased is in custody and petitioners will not abscond rather will co-operate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. 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 trial court 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 trial court where the case is pending/successor court in connection with Kudra P.S. Case No. 465 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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