

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63346 of 2024

Arising Out of PS. Case No.-191 Year-2024 Thana- PARBATTa District- Khagaria

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1. Arvind Kumar Jaiswal @ Arvind Jaiswal S/O Late Laxmi Jaiswal R/O Maraiya, P.S- Parbatta, Distt.- Khagaria.
 2. Raj Kumari Jaiswal @ Raj Kumari Devi W/O Arvind Kumar Jaiswal @ Arvind Jaiswal R/O Maraiya, P.S- Parbatta, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 13-09-2024 1. Heard learned counsel for the petitioners, Mr. Rabindra Kumar learned A.P.P. for the State and learned counsel appearing on behalf of the informant.

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

3. Learned counsel for the petitioners submits that petitioners, being the father-in-law and mother-in-law of the deceased, have been falsely implicated in the present case by the informant. It is further submitted that though it is alleged that dowry was being demanded and on non-fulfillment of the demand, the victim was tortured, but then from perusal of the allegation as alleged in the FIR, it would manifest that the same



does not even remotely suggest as to what was being demanded by the accused persons in dowry. It is next submitted that the first child got aborted, not on account of torture, but due to medical issues. It is also submitted that the victim became pregnant for the second time and during the course of pregnancy, all due care was taken and she was admitted at C.H.C., Parbatta, Khagaria where she gave birth to a child, but on account of complication in the delivery, there was heavy bleeding, on account of which the victim died and the informant taking the same as an opportunity implicated the entire family. It is further submitted that the child is still alive and is staying with the petitioners.

4. Learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioners but then is not in a position to rebut the submissions of the learned counsel for the petitioners that from perusal of the allegation as alleged in the FIR, it manifests that the demand of dowry is general and omnibus in nature, but then learned counsel fairly submits that the victim gave birth to a child who is alive and is staying with the petitioners.

5. Learned A.P.P. for the State is present.

6. Considering the submissions made by the learned



counsel for the petitioners, let 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.10,000/- (Rupees Ten 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 Parbatta P.S. Case No. 191 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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