

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2917 of 2024

Arising Out of PS. Case No.-90 Year-2023 Thana- BALIA BELON District- Katihar

1. Nichit Malik Alias Nichit Mallik Alias Nischit Mallik And Others Son Of Late Ghoghan @ Late Khokhai Malik Resident Of Village- Rasalpur (Bhaunagar Rasoolpur), P.S.- Balia Bellon, District- Katihar
2. Shanti Devi W/O- Nichit Malik @ Nichit Mallik @ Nishchit Mallik, (Wrongly Typed At The Top Of Impunged Order Malik) Resident Of Village- Rasalpur (Bhaunagar Rasoolpur), P.S.- Balia Bellon, District- Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Bimal Kumar, Advocate
For the State	:	Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-03-2024 Heard learned counsels for the parties.

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

3. It is a case of “dowry death”.

4. It is submitted by learned counsel for the petitioners that Petitioner No. 1 is father-in-law and Petitioner No. 2 is mother-in-law of the deceased. There is general and omnibus allegation of torture and harassment against these petitioners and no specific allegation of overt act has been alleged against



these petitioners and they are separate in mess & property and have got no concern with the affairs of the deceased and her husband, who is already in custody since 21.07.2023. It is next submitted that informant is not an eye witness of the alleged occurrence and merely because the petitioners happen to be relatives of husband of the deceased, they have falsely been made an accused in this case. Petitioners claim clean antecedents

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Katihar, in connection with Ballia Bellon P.S. Case No. 90 of 2023, subject to condition as laid down under Section



438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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