

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82241 of 2024

Arising Out of PS. Case No.-46 Year-2024 Thana- LALGANJ District- Vaishali

1. Sita Devi W/O Baijnath Rai @ Bainath Rai @ Baidyanath Rai Resident Of Village- Balha Basanta, P.S- Lalganj, Distt.- Vaishali.
2. Baijnath Rai @ Bainath Rai @ Baidyanath Rai S/O Late Ram Chandra Rai @ Ram Chandan Rai Resident Of Village- Balha Basanta, P.S- Lalganj, Distt.- Vaishali.
3. Pushpa Kumari D/O Baijnath Rai @ Bainath Rai @ Baidyanath Rai Resident Of Village- Balha Basanta, P.S- Lalganj, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivjee Singh, Adv
For the Opposite Party/s : Mr.Anita Kumari, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 18-06-2025 Heard learned counsel for the petitioners, and the State.

2. Petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302, 304B, 201/34 of the Indian Penal Code.

3. The allegation made in the FIR is against the accused persons including the petitioners and husband of the deceased lady wherein an allegation has been made that the deceased has been done to death on account of non-fulfillment of demand of dowry.

4. Learned counsel for the petitioners submits at the outset



that the marriage of the deceased had taken place with the accused Triloki Rai in the year 2013 and in such view of the matter, more than nine years have lapsed and hence, section 304 B of the IPC would not be applicable in the present case. He has also pointed out that no date of marriage has been indicated in the FIR. So far as, the petitioners are concerned, there is general and omnibus allegation against all the petitioners, who are the mother-in-law, father-in-law and a married sister-in-law and who are living separately since 2017 and have no concern with the daily affairs of the deceased and her husband.

5. Learned APP for the State opposes the anticipatory bail.

6. Taking into consideration the facts that section 304B of the IPC would not apply in the present case, there is no substantial evidence against the petitioner to establish a case under section 302 of the IPC and moreover, considering that these petitioners are in-laws, who are not connected with the daily affairs of the deceased and her husband, let the petitioners in the event of their arrest/ surrender within a period of four weeks from today be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in Lalganj P.S.Case No. 46 of 2024, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that the petitioners shall co-operate in investigation/ trial.

(Soni Shrivastava, J)

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