

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7123 of 2015

Arising Out of PS.Case No. -69 Year- 2014 Thana -OBRA District- AURANGABAD

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1. Ramautar Bind Son of Mahabir Bind
 2. Mahabir Bind Son of Jawahar Bind
 3. Tetari Devi Wife of Mahabair Bind
 4. Daya Devi Wife of Ramautar Bind All residents of village Bel Tole Bahadur Bigha, P.S. Obra, District - Aurangabad (Bihar)

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Anil Kr Singh No. 6

For the Opposite Party : Mr. Shailendra Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 03-07-2015 Heard the learned counsel for the petitioners and the State.

Application in respect of petitioner no.1, namely, Ramautar Bind has sought to be withdrawn as the same has become infructuous. I order accordingly.

Rest of the petitioners are father-in-law, mother-in-law and sister-in-law (gotani) of the victim who was married to Krishna Bind in the year 2012. The father of the victim has alleged that she was tortured physically and mentally by her husband and the petitioners on account of non fulfillment of dowry. On the relevant day he was informed by the co-villagers

that his daughter and Natani were killed by setting them on fire by the accused persons.

Diverse submissions have been advanced on behalf of the petitioners. It is stated that the father-in-law is cripple and the rest of the accused persons are separate from the husband of the deceased.

Learned APP for the State, on the other hand, while opposing the prayer submits that it is a case of dowry death in which the victim along with her daughter was done to death in the matrimonial home. He points out that at the time of death the victim was pregnant. The law contemplates that petitioners have committed the offence until otherwise proved. The police have submitted the charge sheet.

In the facts and circumstances of the case, in my view petitioners do not deserve anticipatory bail. Prayer for bail is rejected.

Let the petitioners surrender and pray for regular bail before the learned Court below. In that event the Court below shall consider and dispose of the same on its own merit and pass appropriate order uninfluenced by the present order.

(Kishore Kumar Mandal, J)

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