

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18337 of 2015

Arising Out of PS.Case No. -222 Year- 2014 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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1. Sita Ram Rai, aged about 56 years, S/o Late Jamdar Rai.
 2. Sarswati Devi, aged about 52 years, W/o Sita Ram Rai.
 3. Lalita Devi, aged about 30 years, D/o Sita Ram Rai.
- All Resident of Village - Sign, P.S.- Vaishali, O.P.- Belsar, District - Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 02-07-2015 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Vaishali P.S. Case No.222 of 2014 registered under Sections
304(B)/34 of the Indian Penal Code.

The allegation of the informant, Dilip Rai, is that his
younger daughter was married with Guddu Rai, son of the
petitioner no.1. Since the informant has no son, his son-in-law
alongwith other in-laws of his daughter was putting pressure upon
her daughter to transfer the ancestral property in the name of his
son-in-law. On being refused, they started to torture his daughter.



On 09.08.2014 in the morning when the informant had gone to attend the call of nature behind his house, he saw a bolero vehicle standing on the road and 4-5 persons dragging a lady by assaulting her. When the informant reached there, he came to know that the lady, who was being dragged, was of his daughter and the persons, by whom his daughter was being dragged and assaulted, were Guddu Rai (son-in-law), Sita Ram Rai (petitioner no.1/father-in-law of the deceased), Sarswati Devi (petitioner no.2/mother-in-law of the deceased), Vikash Kumar, the brother of his son-in-law, Rakesh Kumar and Lalita Devi, the sister-in-law of his daughter. Later on, his daughter died in the way while she was being taken to the PMCH for treatment.

Learned counsel appearing on behalf of the petitioners submits that the petitioner nos.1, 2 and 3 respectively are the father-in-law, mother-in-law and sister-in-law of the deceased and have falsely been implicated in this case. It is further submitted that it would appear from the F.I.R. that at the time of occurrence, the deceased was residing at her Maika and in the post-mortem report, no external injury was found on the person of the deceased. It is also submitted that, in fact, the deceased was mentally retarded and there is possibility that the deceased might have fallen down on the earth and died. Further submission is that later

on, after lodging of the F.I.R. , the informant has filed an application in the court of the C.J.M., Hajipur, Vaishali, detailing the real facts

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within four weeks, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the C.J.M., Vaishali at Hajipur, in connection with Vaishali P.S. Case No.222 of 2014, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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