

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31014 of 2014

Arising Out of PS.Case No. -118 Year- 2013 Thana -RAJAPAKAR District- VAISHALI(HAJIPUR)

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1. Naresh Singh @ Ram Naresh
 2. Raj Kumar Singh Both Sons of Late Jagdish Singh
 3. Shankar Kumar
 4. Rahul Kumar Both Sons of Naresh Singh
 5. Geeta Devi @ Sangita Devi Wife of Naresh All resident of Ward no.-6, Mahnar, P.S.- Mahnar, District- Vaishali, At Present resides at Rasulpur Bakhri, P.S.- Rajapakar, District- Vaishali.
 6. Meghni Devi Wife of Bhikhari Singh
 7. Anil Singh @ Anil Kumar Son of Horil Singh Both resident of village- Rasulpur Bakhri, P.S.- Raja Pakar, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Smt. Anuradha Singh, Advocate

For the Opposite Party/s : Mr. S.D. Singh Yadav (APP)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

4 23-03-2015 Learned counsel for the petitioners is permitted to make necessary corrections in the prayer portion.

Heard learned counsel for the petitioners as well as learned APP for the State.

Neha Kumari, daughter of informant, Raj Kumar Singh who was married with Pankaj Kumar Singh son of Ram Naresh on 12.06.2012 was subjected to torture at her Sasural for fulfillment of demand of dowry and lastly, as has been alleged, was administered poison, on account of which, she died. Her dead body was also cremated.



After coming to know about the same, informant along with his villagers, namely, Shambhu Pd. Singh, Ram Eshwar Singh, Kamlesh Singh and Rambali Singh along with others had gone there and inquired with regard to death of his daughter, whereupon the accused persons disclosed that she died on account of ailment as well as they also accepted to have the dead body cremated. Sticking over the issue that as to why not they were informed, the accused persons indulged in brawl and during course thereof, assaulted Shambhu Pd. Singh causing injury over his head for which, as is evident from para-49 of the case diary, another case bearing Rajapakar P.S. Case No. 164/2013 was registered.

Contentions on behalf of petitioners are that husband has been murdered in another incident. Father-in-law is under custody. Petitioner no.2 is the cousin father-in-law while petitioner no.3 and 4 are brothers-in-law. Petitioner no.5 is mother-in-law while petitioner no.6 is cousin mother-in-law and petitioner no.7 is a co-villager. No specific allegation has been attributed against any of them. Furthermore, it has also been submitted that deceased die of ailment while she was pregnant and was under medical observation. Therefore, the allegation, whatsoever made, has purposely been introduced to squeeze illegal gain from the family

of the petitioners.

On the other hand, learned APP opposed the prayer and submitted that manner whereunder the accused persons reacted and assaulted, Shambhu Pd. Singh speaks a lot with regard to genuineness in the assertion of the accused persons.

Taking into account the overall situation as well as after going through the case diary prayer for anticipatory bail relating to petitioners no. 3. Shankar Kumar, 4. Rahul Kumar and 5. Geeta Devi @ Sangita Devi is hereby rejected.

Remaining petitioners, namely, Raj Kumar Singh, Meghni Devi and Anil Singh @ Anil Kumar are directed to be released on bail on furnishing bail bond of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Vaishali in connection with Rajapakar P.S. Case No. 118/2013 in the event of their arrest/surrender within four weeks in terms of condition as laid down under Section 438(2) of the Cr.P.C.

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(Aditya Kumar Trivedi, J)

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