

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.813 of 2015

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1. Sumitra Devi Wife of Ram Pratap Pandit
2. Ram Pratap Pandit Son of Sukhdeo Pandit Both are resident of village -
Sirahi, Tola Madhava, P.S.-Riga, Dist.-Sitamarhi

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Hans Lal Kumar

For the Opposite Party : Mr. Shaheen Begum(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 01-07-2015 Heard learned counsel for the petitioners and the

State.

The mother-in-law and father-in law respectively of the deceased apprehending their arrest in connection with Riga P.S. case no. 255 of 2013, registered under Sections 304(B) and 201/34 of the IPC have filed the present application seeking anticipatory bail.

The daughter of the informant was married to the son of the petitioners in the year 2012. Soon thereafter she was subject to torture on account of non fulfillment of demand of dowry. The informant was subsequently informed by the co-villagers about the death of his daughter inside the matrimonial home in a suspicious circumstance. Before the father reach the 'sasural' the dead body

was consigned.

Contention of the petitioner is that there is no direct evidence depicting torture of the deceased at the hands of the petitioners who are parents. The police upon conclusion of investigation found the case true under Section 306 of the IPC inasmuch as charge sheet has been submitted. The husband in such circumstance is the main accused. It is also submitted that the victim died of diarrhoea. It was itself a natural death.

Learned counsel for the State, on the other hand, opposed the prayer and submitted that within seven years of the marriage the victim was done to death in a suspicious circumstance inside the matrimonial home and there is some evidence to support that she was subjected to torture.

Considering the facts, I am not inclined to privilege them with 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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