

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6313 of 2015

Arising Out of PS.Case No. -225 Year- 2014 Thana -ATHMALGOLA District- PATNA

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1. Chandrika Paswan @ Chanarik Paswan Son of Bajrangi Paswan
2. Asha Devi, wife of Chandrika Paswan,
3. Bajrangi Paswan, Son of Late Raghuni Paswan, All are resident of
village- Naya Tola Sabnima, P.S.- Athmalgola, District- Patna
..... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap

For the Opposite Party/s : Mr. Uma Nath Mishra(App)

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL**

ORAL ORDER

3 01-07-2015 Heard learned counsel for the petitioners and the State.

The three petitioners herein are father-in-law, mother-in-law and grand father-in-law of the victim and are facing accusations under section 304B, 201/34 of the IPC.

The brother of the victim alleged that his sister was married to son of petitioner Nos. 1 and 2 in the year 2012 whereafter the Sasural people started torturing her on account of non- fulfillment of demand of dowry and subsequently she was done to death in her matrimonial house.

The contention of the petitioners is that petitioner No.3 is an old and crippled person and is not expected to commit any such crime and in course of investigation it has come that the victim committed suicide by shutting herself in a room. There is no eye witness to the occurrence.

On the other hand, learned counsel for the State submits that within seven years of marriage the victim was done to death and the allegation of demand of dowry has been supported by the witnesses in course of investigation.

Regard being had to the allegations and the materials reflected from the records including the impugned order, I am not persuaded to extend the privilege of anticipatory bail to petitioners Nos. 1 and 2 and their prayer for anticipatory bail is rejected. They may surrender before the court below and pray for regular bail which shall be considered and disposed of on its own merit uninfluenced in any manner by the present order.

So far as petitioner No.3, namely, Bajrangi Paswan is concerned, he being grand father-in-law and aged person, in the event of his arrest or surrender in the court below within a period of four weeks, he shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Barh, Patna in connection with Athmalgola PS case No. 225/2014, subject to condition as laid down under section 438(2) of the Cr. P.C.

(Kishore Kumar Mandal, J)

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