

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39895 of 2014

Arising Out of PS.Case No. -39 Year- 2014 Thana -KADAMKUAN District- PATNA

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1. Janki Devi W/o Ashok Rajak
 2. Monu Rajak @ Monu Kumar
 3. Dipu Rajak @ Dipak Kumar @ Deepu Rajak Both sons of Ashok Rajak
All residents of Mohalla Mahendru, Golapur, P.S.- Sultanganj, Dist.-
Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Bijay Kumar Mouar, Advocate
For the Informant : Mr. Braj Nandan Singh, Advocate
For the State : Mr. Shantanu Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 13-03-2015 Heard the parties.

The three petitioners apprehend their arrest in connection with Kadamkuan P.S. Case No. 39 of 2014 registered for offence punishable under Sections 304(B)/ 34 of the Indian Penal Code and Section 34 of the Dowry Prohibition Act.

Mr. Bijay Kumar Mouar, learned counsel for the petitioners with reference to the allegation made in the FIR has submitted that it is the own admission of the informant that she gathered information about the admission of her daughter in the Patna Medical College and Hospital and that she also gathered information that she had been poisoned by her in-laws.



Mr. Mouar, learned counsel for the petitioner with reference to the affidavit filed by the informant herself before the Police authority has submitted that the informant realizing her mistake has filed affidavit before the authorities that there was no role of the petitioners in the occurrence and that her daughter in fact had committed suicide. Learned counsel for the petitioner further submits that whereas the petitioner no. 1 is the mother-in-law, the petitioner nos. 2 and 3 are the younger brothers of the husband of the deceased and that the very fact that the deceased had been taken for treatment to the Patna Medical College and Hospital by itself shows the bona fide of the petitioner.

The informant has appeared through counsel Mr. Braj Nandan Singh who supports the case of the petitioner and submits that the police case had been instituted on confusion.

Having heard learned counsel for the parties and taking note of the circumstances discussed hereinabove, let the petitioners, namely, (1) Janki Devi, (2) Monu Rajak; and (3) Dipu Rajak in the event of their arrest or surrender before the court below within four weeks from today be released on bail upon each one of them individually furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Patna in

connection with Kadamkuan P.S. Case No. 39 of 2014 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Jyoti Saran, J)

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