

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44702 of 2015

Arising Out of PS.Case No. -43 Year- 2015 Thana -DORIGANJ District- SARAN

Dhanraj Prasad @ Raju son of Gorakh Prasad Resident of Village Nandpur (Gudri Bazar) P.S. Haldi District Balia(U.P) at present residing at Mohalla Bhagwan Bazar ward no. 13, P.s Bhagwan Bazar, District Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.45693 of 2015

Arising Out of PS.Case No. -43 Year- 2015 Thana -DORIGANJ District- SARAN

Shanti Devi Wife of Vishwanath Prasad resident of village - Nandpur (Gudri Bazar), P.S. Haldi, District - Balia (U.P.)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.44702 of 2015)

For the Petitioner/s : Mr. Alok Kumar @ Alok Kr Shahi

For the Opposite Party/s : Mr. Sakir Ahmad(App)

(In Cr.Misc. No.45693 of 2015)

For the Petitioner/s : Mr. Alok Kumar @ Alok Kr Shahi

For the Opposite Party/s : Mr. Nityanand(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 21-12-2015 Heard both sides.

The petitioner apprehends his arrest in Doriganj P.S.
Case No. 43/2015, registered for the offences punishable under
Section 302 and other sections of the Indian Penal Code.

The petitioners are husband and cousin mother-in-law of

the deceased.

Mr. Alok Kumar Sahi learned counsel for the petitioner submits that in fact the petitioner, Dhanraj Prasad was married with the deceased in the year 2006. He is railway employee. The wife of the petitioner fell ill and she died on way to the hospital. Death Certificate is also issued by Gram Panchayat. No occurrence took place in the District of Chhapra.

The informant participated in the cremation and Shradh Ceremony, but later on, he demanded money from his son-in-law and on refusal this false case has been filed after one month of the occurrence.

It appears that the informant has alleged that his daughter was married on 10.05.2009 with the petitioner. The daughter of the informant died within seven years of her marriage. The informant also made specific allegation about the demand of dowry and torture against the husband.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner Dhanraj Prasad @ Raju who happens to be the husband of the deceased, on anticipatory bail. Accordingly, the same is rejected.

So far as, Shanti Devi is concerned, she is the cousin mother-in-law of the deceased and no specific allegation is made

against her.

Considering the facts aforesaid, the petitioner, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chhapra in connection with Doriganj P.S. Case No. 43/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

Vinita/-

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