

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42474 of 2014

Arising Out of PS.Case No. -60 Year- 2011 Thana -BISHUNPUR District- DARBHANGA

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1. Sanju Devi Wife of Gorakh Yadav
 2. Sudhar Devi Wife of Bhago Yadav
 3. Bhago Yadav @ Bhag Narayan Yadav
 4. Gorakh Yadav Both Sons of Late Subelal Yadav All are Residents of Village - Chotki Dihlahi, Naya Nagar, Police Station - Bishanpur, District - Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Nath Jha

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

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 30-06-2015 Heard the Counsel for the petitioners and the APP for the State.

Petitioners herein are *gotanis* (sisters-in-law), bhainsur and *devar* (elder brother-in-law and younger brother-in-law) of the victim/deceased and accused of offence punishable under Section 498A, 302 and 34 of the Indian Penal Code registered vide Bishanpur P.S. Case No. 60 of 2011.

The allegation precisely is that the victim was tortured and was forced to commit suicide while living in Sasural and thereafter the dead body was disposed of.

Contention of the petitioners is that husband has been released on regular bail by this Court. During investigation, it has

come that all male members were not present in the house. The marriage of the victim was solemnized in the year 1999 and the wedlock has produced 2-3 siblings. There is no direct evidence incriminating the petitioners in the alleged crime.

Learned APP opposed the prayer for bail and stated that the occurrence was committed in the year 2011 whereafter the petitioners approached the Court in the year 2014. Therefore, they were absconding for a long period of time. In course of investigation, the witnesses related to the victim have supported the prosecution case.

In my view, the petitioners should also surrender and seek regular bail. Prayer is, accordingly, rejected.

In case the petitioners surrender in the Court below and pray for bail, the same shall be considered by the Court below on its own merit uninfluenced by the present order.

(Kishore Kumar Mandal, J)

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