

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.50104 of 2015**

Arising Out of PS. Case No. -53 Year- 2015 Thana -MARANCHI District- PATNA

- =====
1. Gopal Singh @ Gopal Kumar, Son of Sargun Singh.
  2. Sargun Singh @ Sargun Prasad Singh, Son of Late Jagadambi Singh.
  3. Bidesi Singh, Son of Late Jagadambi Singh.
- All are resident of village- Rampur Dumra, P.S.- Maranchi (Panch Mahala), District- Patna.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Arun Kumar Arun, Advocate

For the Opposite Party/s : Mr. Navin Kr. Panday (App)

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH**  
**ORAL ORDER**

3      18-12-2015                      Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in a case under Sections 304-B/120B/201 of the Indian Penal Code.

The petitioner no.1 is Devar, petitioner no.2 is father-in-law, and petitioner no.3 is cousin father-in-law of the victim.

The informant alleged that the accused persons used to torture his daughter for non-fulfillment of demand of dowry. They eventually burnt his daughter and emerged her in the local river.

Learned counsel for the petitioners submits that Mini Devi died in natural death, as she was suffering from Jaundice. He

further submits that no case under Section 304-B of the Indian Penal Code would be made out, as the elder son of the victim is more than 7 years of age. He further submits that there is no specific allegation against any of the accused persons.

In the circumstances, in the event of arrest or surrender before the court below within four weeks from today, petitioner no. 1 and 3, namely, Gopal Singh @ Gopal Kumar and Bidesi Singh, be released on bail on furnishing bail bond of Rs.5000/- (Five thousand) each with two sureties of the like amount each to the satisfaction of Sri D. Kumar, Judicial Magistrate, 1<sup>st</sup> Class, Barh, Patna in connection with Maranchi P.S. Case no. 53 of 2015 subject to the conditions as laid down under Section 438 (2) Cr.P.C.

So far petitioner no.2, namely, Sargun Singh @ Sargun Prasad Singh is concerned, he should surrender before the court below and pray for regular bail, the same would be disposed of preferably on the same day without being prejudiced by this order and also taking into consideration that the main allegation is against the husband.

**(Samarendra Pratap Singh, J.)**

Uday/-

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