

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27934 of 2015

Arising Out of PS.Case No. -341 Year- 2014 Thana -MARHAURA District- SARAN

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1. Kalawati Devi Wife of Chandeshwar Rai
2. Upendra Rai @ Upendra Kumar Rai
3. Dharmendra Rai @ Dharmendra Kumar Rai both are sons of
Chandeshwar Rai All resident of village - Salimpur, P.S. Marhowra, Distt.
- Saran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. M.K.Nirala(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-07-2015 It is submitted on behalf of the petitioners that petitioner
nos. 2 and 3 (Upendra Rai @ Upendra Kumar Rai and
Dharmendra Rai @ Dharmendra Kumar Rai) are juvenile. Hence,
he wants to withdraw the application on their behalf.

The application is dismissed as withdrawn, so far
petitioner nos. 2 and 3 are concerned.

Heard learned counsel for the petitioner no.1 (Kalawati
Devi) and the State.

The petitioner no.1 is apprehending his arrest in a case
instituted under Sections 304(B), 323, 504/34 of the Indian Penal
Code.

The prosecution story, in brief, is that the daughter of the



informant was married with co-accused Jalesh Rai three years back, and some days after the marriage, the accused persons started demanding a gold chain and for that started torturing her in various ways then the informant bring his daughter to his house and for the last two years she was living in her Maike but four months back accused Jalesh Rai came and took back the daughter of the informant to his house and on 17.10.2014 the informant learnt from co-accused Chandeshwar Rai that his daughter became ill and was being taken to Marhowra for her treatment. The informant along with his wife and villager went to Marhowra but did not find either Mina(daughter of the informant) or her sasural people and at 8 P.M. he learnt from co-accused Chandeshwar Rai that his daughter died while on way to Chapra. The informant went to sasural of his daughter with local police and found dead body of his daughter.

On behalf of the petitioner no.1, it is submitted that she is the mother-in-law of the deceased. It is further submitted that she is living separately and she has no concern with the mess and property of the husband of the deceased. It is further submitted that she has no criminal antecedent.

On behalf of the State , it is submitted that petitioner no.1 is named in the FIR.

Considering the aforesaid facts, let the above named petitioner no.1, in the event of his arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saran, Chapra in connection with Marhowra P.S.Case No. 341/2014, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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