

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24361 of 2014

Arising Out of PS.Case No. -7 Year- 2014 Thana -GOVINDGANJ District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Jagmati Kuar W/o late Chandra Mohan Dubey
 2. Amrita Kumari D/o Late Chandra Mohan Dubey
 3. Raj @ Raj Mati Devi Neti Devi w/o Rajnish Dubey
 4. Rajnish Kumar @ Rajnish @ Duman Dubey S/o Chandra Mohan Dubey
 5. Satish Kumar Dubey @ Satish Dubey S/o Late Chandra Mohan Dubey All are the resident of village - Rajepur, P.S. Govindganj, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Devi W/O Manish Dubey, resident of Village- Rajepur, P.S. Govindganj, District- East Champaran.
New Address:- Priyanka Devi W/O Manish Dubey, D/O Pramod Tiwary Village+P.O. Jagapakar, P.S. Harshidi, District- East Champaran. PIN Code 845411.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar
For the Opposite Party/s : Mr. Ansuiya Jaiswal(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

5 08-04-2015 Heard learned counsel for the petitioners as well as

learned counsel for the State.

In this application for anticipatory bail the petitioners apprehend their arrest for the offences punishable under sections 498 (A) and 307/34 of the I.P.C.

Allegedly, the informant, due to non fulfillment of demand of dowry by way of motorcycle, cow and golden chain, used to be assaulted and tortured and in the night on 17.12.2013

her husband Manish Dubey and the petitioners set her on fire but due to alarm being raised the neighbours came and brought her to the Motihari Hospital.

Submission is of false implication and that the petitioners are living separately since long from the husband of the informant. The informant was directed by her husband not to use the mobile phone frequently which has caused annoyance to her and when she was cooking the food fire was caught. Her husband tried to save her and in that process he also received burn injury. She was brought by her husband and the petitioners at Motihari hospital not by the neighbours. During investigation vide paragraphs 6, 19, 20 and 21 this fact has come and as such the petitioners who are mother-in-law, unmarried Nanad, Gotni and Devers deserve sympathetic consideration, to which the learned A.P.P. duly assisted by the learned counsel for the informant opposes by submitting that the petitioners and the husband of the informant tried to kill her by setting fire and against the petitioners also there is specific allegations.

Considering the facts and circumstances and the materials as pointed out in the case diary that at the time of cooking fire was caught and as the petitioners are claiming to live separately and as such the petitioners in case of their arrest or surrender within two

months from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. C.J.M. Motihari at East Champaran in Govindganj P.S. Case No. 07 of 2014, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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