

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.4751 of 2015**

Arising Out of PS.Case No. -88 Year- 2014 Thana -OBRA District- AURANGABAD

- =====
1. Awadhesh Pandey S/o Late Shyamsundar Pandey r/o village Hemja, P.S. -Obra, in the District of Aurangabad.  
2. Manju Devi W/o Awadhesh Pandey r/o village Hemja, P.S. -Obra, in the District of Aurangabad,.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioners : Mr. Vishwanath Prasad Singh, Sr. Advocate.  
Mr. Ashok Kumar Singh, Advocate.  
For the Opposite Party : Mr. Dr. Indihar Kumari (App)

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR**  
**MANDAL**  
**ORAL ORDER**

4      28-05-2015                      Heard Mr. Vishwanath Prasad Singh, learned Senior  
Counsel for the petitioners and APP for the State.

Petitioners are father-in-law and mother-in-law respectively of the deceased. They are facing accusation punishable under Sections 304(B), 201/34 of the IPC.

Precisely, the prosecution case is that two years before the daughter of the informant was married with Sri Ram Pandey, the son of the petitioners. She was subject to cruelty soon thereafter. Ultimately, she lost her life while living in the matrimonial home.

The contention of the petitioners is that the

deceased died due to diarrhoea. She was afforded medical assistance. There is no eye-witness to the occurrence. Some witnesses have supported the aforesaid factum.

Learned APP for the State, while opposing the prayer, has submitted that the deceased died in unnatural circumstances in the matrimonial home within 07 years of marriage. In course of investigation the witnesses have supported the demand of dowry by the in-laws and on non-fulfillment thereof torture was subjected to the deceased. In case like this, in view of the attending facts, I am not persuaded to privilege the petitioners with anticipatory bail. Prayer made on their behalf is rejected.

Let the petitioners surrender and pray for regular bail before the learned Court below. In that event the Court below shall consider and dispose of the same on its own merit uninfluenced in any manner by the present order.

**(Kishore Kumar Mandal, J)**

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