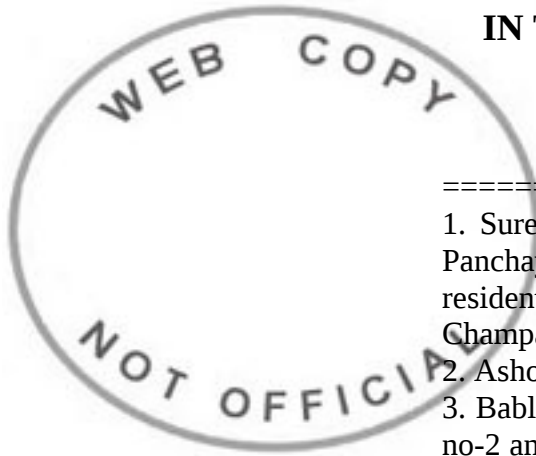




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26915 of 2015

Arising Out of PS.Case No. -562 Year- 2014 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Suresh Prasad, son of Mangal Prasad resident of village- Narigharwa, Panchayat- Belwa Rai, P.S.- Turkauliya, District- East Champaran currently resident of Ambika Nagar, P.S- Town P.S, District- Motihari (East Champaran)
2. Ashok Prasad alias Ashok Kumar, son of Mangal Prasad
3. Bablu Prasad alias Babloo Kumar, son of Mangal Prasad Both petitioner no-2 and 3 are resident of village- Narigharwa, Panchayat- Belwa Rai, P.S.- Turkauliya, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Manoj Kumar 1 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 03-07-2015 Heard learned counsels for the petitioners and the State.

The petitioners being brothers of the husband of the victim are apprehending arrest in a case registered for the offences punishable under Sections 304B, 201 and 120B/34 of the Indian Penal Code.

The accusation is of killing the daughter of the informant for non fulfillment of dowry demands.



It is submitted by the learned counsel for the petitioners that as per own admission of the informant the marriage was performed in the year 2000 whereas the victim died on 28.7.2014 hence on this score alone the case does not come under the purview of section 304B IPC. It is further submitted that the victim died on 28.7.2014 but the complaint was filed on 7.8.2014 which came to be registered as police case on 17.8.2014. The documents on record suggest that the victim was admitted to Rahmania Medical Centre, Motihari by her cousin Munlal and the medical report suggests that she was suffering from unconsciousness and gasping when she died on 28.7.2014 due to sudden cardiac arrest. It is further submitted that the accusation is omnibus and general.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, East Champaran, Motihari in connection with

Turkauliya P.S. Case No. 562 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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