

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37131 of 2015

Arising Out of PS.Case No. -118 Year- 2015 Thana -BIRPUR District- SUPAUL

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1. Manoj Kumar Gupta @ Manish Gupta @ Manoj Gupta S/o Rajendra Gupta
2. Rajendra Gupta S/o Late Lakhan Gupta
3. Parmila Devi W/o Rajendra Gupta
4. Ranjan Gupta S/o Rajendra Gupta
5. Kanchan Devi W/o Rajan Gupta
6. Kinsu Gupta S/o Rajendra Gupta All are resident of village- Bishanpur, Shiv Ram, P.S.- Birpur (Balua Bazar), Dist- Supaul..... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary

For the Opposite Party/s : Mr. Ganesh Prasad Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

4 30-11-2015 Petitioner No.1, Manoj Kumar Gupta @ Manish Gupta @ Manoj Gupta and petitioner No.6, Kinsu Gupta have surrendered and their prayer for anticipatory bail has already become infructuous.

Heard both sides.

The petitioners No.2, Rajendra Gupta, 3. Parmila Devi, 4. Ranjan Gupta and 5. Kanchan Devi apprehend their arrest in a case under Section 304B/34 of the Indian Penal Code.

The victim was married to Manoj Gupta in the year 2010. It is alleged that she was not giving birth to a child and that is why her husband and other in-laws were subjecting her to physical torture and also asking her to fulfill additional demand of dowry.

It is submitted that the victim was herself depressed as she could not be able to give birth to a child and she consumed poison. The husband and other family members brought her for treatment in Jeevan Jyoti Hospital, Forbesganj but she could not be saved. No specific allegation is made against the petitioners who are father-in-law, mother-in-law, brother-in-law and sister-in-law of the deceased. It is further submitted that no complaint was ever made against the petitioners after marriage and before the death of the deceased.

Considering the facts aforesaid and the nature of allegations made against the petitioners, the petitioners No.2 Rajendra Gupta, 3. Parmila Devi, 4. Ranjan Gupta and 5. Kanchan Devi, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, Birpur (Supaul) in Birpur (Balua) P.S. Case No. 118 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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