

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9345 of 2015**

Arising Out of PS.Case No. -136 Year- 2014 Thana -KARAI PARSURAI District- NALANDA  
(BIHARSHARIFF)

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1. Rajeshwar Paswan S/o Beltu Paswan  
2. Nitish Kumar S/o Rajeshwar Paswan  
3. Sanichari Devi W/o Rajeshwar Paswan All are resident of village -  
Niriya, P.S. Karai Pursurai, District - Nalanda

..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dilip Kumar

For the Opposite Party/s : Mr. Rajiv Nayan(App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**  
**ORAL ORDER**

2. 13-03-2015 Heard both sides.

The petitioners father-in-law, brother-in-law and mother-in-law seek bail in Karai Parsurai P.S. Case No. 136 of 2014 registered for the offence punishable under Section 304(B) and other sections of the IPC.

Pintu Paswan the father of the victim made allegation that the accused persons were torturing his daughter and on 25.09.2014 brother-in-law Nitish Kumar threw burning lamp on the body of his daughter and consequently his daughter got burn injury and during the course of treatment she died.

Learned Counsel for the petitioner submits that there is no demand of dowry, of course there is allegation against Nitish Kumar petitioner no. 2 that he threw burning lamp causing burn injury to the deceased Madhu Kumari, but there is no motive. The husband is in jail.

On perusal of the record it appears that there is no specific allegation of demand of dowry against Rajeshwar Paswan petitioner no. 1 and Shanichari Devi petitioner no. 3, father-in-law and mother-in-law of the deceased. Hence, they are directed to be enlarged on bail, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties each of a like amount to the satisfaction of the Additional Chief Judicial Magistrate, Hilsa, District – Nalanda in P.S. Case No. 136 of 2014.

So far as, the case of Nitish Kumar petitioner no. 2 is concerned he is brother-in-law of the deceased and the informant has made specific allegation that it was he who threw burning lamp on Madhu Kumari and Madhu Kumari got burn injury and died. Hence I am not inclined to enlarge Nitish Kumar on bail accordingly the same is rejected.

**(Prabhat Kumar Jha, J.)**

Vinita/-

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