

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41243 of 2015

Arising Out of PS.Case No. -31 Year- 2013 Thana -BITHAN BAZAR District- SAMASTIPUR

1. Jai Mala Devi, Daughter of Dholai Choupal
2. Hiriya Devi, Daughter of Dholai Chaupal

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Chandra Bhaskar

For the Opposite Party/s : Mr. Sharda Kumari (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 01-09-2015 Heard learned counsels for the petitioners and the State.

The petitioners being the sisters of the husband of the victim are apprehending arrest in a case registered for the offences punishable under Sections 341/342/323/406/498A/304B/201/34 of the Indian Penal Code.

Accusation is of killing the daughter of the informant after five years of marriage for non-fulfillment of dowry demand.

It is submitted by learned counsel for the petitioners that daughter of the informant and her husband went traceless on 22.01.2013, when the complaint was filed on 12.03.2013 which came to be registered as police case on 09.05.2013. It is further submitted that the petitioners are married sisters of the husband and till date the death of the victim has not been ascertained.

Hence, the offence under section 304B IPC is not made out.

Considering the delayed lodging of the complaint, death of the victim being not ascertained and the petitioners being ladies, let them be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Rosera, Samastipur, in connection with Bithan P.S. Case No. 31 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

U		T	
---	--	---	--