

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41839 of 2015

Arising Out of PS.Case No. -125 Year- 2014 Thana -MANSI District- KHAGARIA

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1. Kalo Devi @ Kala Devi wife of Late Mushharu Choudhary,
2. Surendra Choudhary, Son of Late Mushharu Choudhary,
3. Sunil Choudhary, Son of Late Mushharu Choudhary, All residents of
village Kali Chak, Police Station Birpur, in the district of Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma, Advocate

For the Opposite Party/s : Mr. C.Sen Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 12-10-2015

Heard learned counsel for the petitioners and the
State.

The petitioner no. 1 is mother-in-law and
petitioner nos. 2 and 3 are brothers of the husband of the
victim are apprehending their arrest in a case registered
for the offences punishable under Sections 304B of the
Indian Penal Code.

The prosecution case is of killing the daughter of
the informant after four years of marriage for non-
fulfillment of dowry demand. It is alleged that on
02.04.2013 the accused persons brutally assaulted the
daughter of the informant. When the son-in-law of the
informant reached the victim to the informant's place, but
ultimately she died on 04.05.2013. But neither during the

treatment nor after the death accused persons co-operated the informant.

It is submitted by the learned counsel for the petitioners that as per the accusation the victim died in hospital on 04.05.2013 when she was being treated at the behest of the informant, but the complaint was filed on 04.10.2013 which came to be registered as police case on 14.07.2014. Neither the inquest was done nor the post-mortem was conducted. The accusation of assault is of 02.04.2013 that too omnibus and general. Moreover, the thrust of accusation is against husband of the victim.

Considering the delayed lodging of the case and death of victim in the hospital in presence of informant, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Mansi P.S. Case No. 125 of 2014, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

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