

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37766 of 2015

Arising Out of PS.Case No. -67 Year- 2015 Thana -KATORIA District- BANKA

- =====
1. Munilal Sah Son of Late Dukhi Sah
2. Ramjee Sah Son of Late Dukhi Sah Both are Resident of village -
Bandha, P.S. Katoria (Jaipur), District - Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Rajendra Nath Jha (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 16-10-2015 Heard learned counsels for the petitioner and the State.

The petitioners being the brothers of the husband of the victim are apprehending arrest in a case registered for the offences punishable under Sections 304B and 324/34 of the Indian Penal Code.

The accusation is of killing the daughter of the informant within one year of the marriage for non-fulfillment of the dowry demand.

It is submitted by learned counsel for the petitioners that the petitioners are separate from the husband of the victim since long and this fact has been supported by several independent witnesses during investigation. The cause of death has not been ascertained by the doctor as gets reflected from the postmortem

report and the viscera has been preserved. The thrust of accusation is against the husband of the victim.

It is submitted by Mr. J.N. Thakur, learned counsel for the State that only one marginal superficial injury has been found on the left cheek of the victim and also admits that viscera has been preserved. Learned counsel for the State further does not controvert the contention of the petitioners that several independent witnesses have supported that the victim and her husband were residing separately from the petitioners since long.

Considering the thrust of accusation against the husband of the victim, 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 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 C.J.M., Banka in connection with Katoria (Jaipur) P.S. Case No. 67 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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