

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18176 of 2015

Arising Out of PS.Case No. -46 Year- 2014 Thana -PAUTHU District- AURANGABAD

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1. Rita Devi W/o Jagdeo Prajapat
2. Binod Prajapat Son of Sohrai Prajapat
3. Mintoo Prajapat Son of Jagdeo Prajapat
All are residents of village Harbansa, P.S. Pauthu, District - Aurangabad

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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With

Criminal Miscellaneous No.21290 of 2015

Arising Out of PS.Case No. -46 Year- 2014 Thana -PAUTHU District- AURANGABAD

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1. Lekha Prajapat, Son of Hiraram Prajapat, R/o Village - Shahpur, P.S. - Pauthu, in the District of Aurangabad.
2. Dharmendra Parjapat, S/o Bishun Prajapat, R/o Village - Shahpur, P.S. - Pauthu, in the District of Aurangabad.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In Cr.Misc. No.18176 of 2015)

For the Petitioners : Mr. Bindeshwar Prasad Singh, Adv.

For the Opposite Party : Mr. Subhash Chandra Mishra, A.P.P.

(In Cr.Misc. No.21290 of 2015)

For the Petitioners : Mr. Ashok Kumar Singh, Adv.

For the Opposite Party : Mr. Anusaiya Jaiswal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

ORAL ORDER

2 10-06-2015

The petitioners in the first application, who are mother-in-law, cousin father-in-law and Dewar of the deceased and the petitioners in the second application, who are co-villagers, apprehend their arrest in relation to Pauthu P.S. Case No. 46 of 2014 registered under Sections 304(B) and other Section of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

It appears that the marriage had taken place on 07.05.2014 and on 07.06.2014 the daughter of the informant died,

but the case was lodged on 29.08.2014 by the father (informant) who is represented in this Court. He states that he was in Delhi, whereas, a positive statement has been made in the petition that the lady had died because of sun-stroke. The father was informed, who was present in the cremation. He was in full knowledge of case because of certain dispute which arose and later on this case was lodged. It is also pointed out that it is not denied by the informant that upon completion of investigation, the Police found the prosecution case to be false and accordingly, filed a final report, but upon a protest petition being filed, the court has proceeded to take cognizance in this case.

Be that as it may, in the event of their arrest/surrender before the court below within four weeks from today, let the petitioners, above named be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Pauthu P.S. Case No. 46 of 2014, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Navaniti Prasad Singh, J.)

Vats/-

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