

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No. 45374 of 2014**

Arising Out of PS.Case No. -59 Year- 2014 Thana -SANGRAMPUR District- EAST  
CHAMPARAN (MOTIHARI)

- =====
1. Janardan Sah Son of Sukhlal Sah.
  2. Girja Devi Wife of Janardan Sah
- Both are residents of Village - Sikandarpur, P.S. Sangarampur, District  
East Champaran, Motihari.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. Fuldeo Sah @ Fuli Sah, Resident of Village - Bisunpura, P.S. Harisidhi,  
District - Motihari.

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN**  
**AMANULLAH**

ORAL ORDER

5      14-05-2015                      Heard learned counsel for the petitioners and  
learned A.P.P. for the State.

The petitioners apprehend arrest in  
Sangrampur P.S. Case No. 59 of 2014 dated 08.06.2014  
instituted under Sections 498A/304B/201 of the Indian Penal  
Code and Section 3/4 of the Dowry Prohibition Act.

The allegation against the petitioners who are  
father-in-law and mother-in-law of the deceased is that due to  
non-fulfillment of demand of dowry, she was done to death and  
her body burnt to hide evidence.

Learned counsel for the petitioners submits  
that the husband is in jail and that the parents were not  
present at the village at the relevant time and were in Delhi. It

is further submitted that compromise has also been entered into between the parties.

Learned A.P.P., upon going through the case diary submits that besides the witnesses supporting the prosecution story, it has not come that the petitioners were away at Delhi and not present in the village at the time of occurrence. It is further submitted that even if it is believed that the deceased had died not because of any foul play but the circumstances that the parents and other relatives of the deceased were not informed and thus could not take part in the cremation, is enough to indicate foul play.

This Court is in agreement with the submissions of learned A.P.P. Accordingly, the Court does not find any merit in the application and the same stands dismissed.

However, in the event the petitioners surrenders and prays for regular bail before the Court below, the same shall be considered on its own merits without being prejudiced by the present order.

**(Ahsanuddin Amanullah, J.)**

Anand Kr.

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|