

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40939 of 2015

Arising Out of PS.Case No. -786 Year- 2014 Thana -NAWADA District- NAWADA

Sachidanand Chaudhary S/o late Kalo Chaudhary Resident of Village-
Navin Nagar(Nawada) P.S. Nawada, Dist- Nawada.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.41222 of 2015

Arising Out of PS.Case No. -786 Year- 2014 Thana -NAWADA District- NAWADA

Rinku Devi w/o Manoj Kumar Resident of village- Navi Nagar (Nawada)
P.S.- Nawada Dist- Nawada.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

(In Cr.Misc. No.40939 of 2015)

For the Petitioner : Mr. Rajani Ranjan Pd. Singh, Advocate.

For the Opposite Party : Mr. Ram Bachan Singh(App)

(In Cr.Misc. No.41222 of 2015)

For the Petitioner : Mr. Rajani Ranjan Pd. Singh, Advocate.

For the Opposite Party : Mr. Ram Bachan Singh (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

3 09-11-2015 Heard both sides.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 304B and other Sections of the Indian Penal Code.

The petitioners are father-in-law and sister-in-law (Gotni) of the deceased. The brother of the deceased made

allegation that his sister was married to Sanjeev Kumar @ Sanju on 30.11.2014, her husband and other in-laws started demanding dowry and also subjected her to different sorts of physical and mental torture. His sister was killed on 19.12.2014.

Learned counsel for the petitioners submits that the deceased herself committed suicide as she does not want to live with her husband. The husband of the deceased informed the informant about the occurrence that her sister committed suicide after closing the door from inside. The informant went there and found his sister in the hospital. There is no specific allegation of assault against the father-in-law and sister-in-law (Gotni) of the deceased. Kajal Jaiswal @ Kajal Jaswal another sister-in-law has already been enlarged on anticipatory bail vide orders passed in Cr. Misc. No. 29508 of 2015. The husband of the petitioner is in jail and Manoj Kumar the husband of petitioner Rinku Devi has already been enlarged on regular bail vide order passed in Cr. Misc. No. 27448 of 2015.

Learned counsel for the informant as well as the learned APP opposed the prayer for anticipatory bail of the petitioners.

The informant made allegation against the husband and other in-laws of the deceased that they were torturing her. It is further submitted that from para-16 of the case diary it would

appear that the deceased stated all facts that how she was subjected to torture by her husband and other in-laws.

It appears that the deceased died within 20 days of her marriage with Sanjeev Kumar @ Sanju and she made allegation of torture against her husband and other in-laws, of course, similarly situated another accused sister-in-law of the deceased has already been enlarged on anticipatory bail the case of Rinku Devi who happens to be the sister-in-law of the deceased stands on the same footing.

Considering the facts aforesaid, petitioner Rinku Devi (Cr. Misc. No. 41222 of 2015), in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada in Nawada Town P.S. Case No. 786 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

So far as the case of petitioner Sachidanand Chaudhary (Cr. Misc. No. 40939 of 2015) is concerned, he is father-in-law of the deceased and he is the head of the family and the deceased died within 20 days of her marriage and she herself disclosed that

she was severely tortured, I am not inclined to enlarge the petitioner Sachidanand Chaudhary on anticipatory bail. Accordingly, the same is rejected.

(Prabhat .Kumar Jha, J)

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