

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34928 of 2014

Arising Out of PS.Case No. -71 Year- 2014 Thana -MOHIUDDIN NAGAR District-
SAMASTIPUR

1. Shushila Devi Wife of Ram Jatan Choudhary
2. Ram Jatan Choudhary Son of Late Sukhdeo Choudhary, both R/o
Village- Bhadiya, P.S.- Mohiuddin Nagar, District- Samastipur

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.39179 of 2014

Arising Out of PS.Case No. -71 Year- 2014 Thana -MOHIUDDIN NAGAR District-
SAMASTIPUR

Chhotu Chaudhary, Son of Ram Jatan Chaudhary, R/o Village - Bhadiya,
P.S. Mohiuddin Nagar, District - Samastipur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.34928 of 2014)

For the Petitioner/s : Mr. Deepak Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sharda Kumari, A.P.P.

(In Cr.Misc. No.39179 of 2014)

For the Petitioner/s : Mr. Deepak Kumar Singh, Advocate

For the Opposite Party/s : Mr. S.D.Singh Yadav, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

5 28-08-2015 Heard learned counsel for the petitioners and learned
Assistant Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Mohiuddin Nagar P.S. Case No. 71 of 2014, disclosing offences

under Sections 328, 302 and 201/34 of the Indian Penal Code.

Petitioners of Criminal Miscellaneous No. 34928 of 2014 are mother-in-law and father-in-law of the deceased, whereas petitioner of Criminal Miscellaneous No. 39179 of 2014 is the brother of the husband of the deceased. From the allegation in the First Information Report, it appears that the daughter of the informant was married to one Chandan Kumar Chaudhary nearly ten years before the alleged date of occurrence. Allegedly, the in-laws of the deceased used to make demand of dowry and tortured her, because of non-fulfillment of such demand.

Learned counsel for the petitioners has submitted that from the First Information Report, no specific allegation, constituting offence under Section 302 of the Indian Penal Code is made out against these petitioners. Their implication is solely on the basis of suspicion that they might have administered poison to the deceased, leading to her death.

Keeping in view the submission as aforesaid and having perused the First Information Report, I am inclined to allow this application.

Let the petitioners, above-named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees

Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Mohiuddin Nagar P.S. Case No. 71 of 2014, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Vats/-

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