

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46175 of 2014

Arising Out of PS.Case No. -81 Year- 2014 Thana -TEKARI District- GAYA

- =====
1. Raju Chaudhary Son of Bithal Chaudhary
 2. Bithal Chaudhary Son of Late Tetar Chaudhary
 3. Rajdhani Devi Wife of Bithal Chaudhary
- All resident of village - Panchanpur, P.S. Tekari, District - Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Dinesh Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

04/ 04-08-2015

Heard learned counsels for the petitioners

and the State.

The petitioners being the brother and parents of the husband of the victim are apprehending their arrest in a case registered for the offences punishable under Sections 304B, 120B and 328 of the Indian Penal Code.

The accusation is of killing the daughter of the informant after two years of the marriage for non-fulfillment of the dowry demand.

No doubt, FSL report reveals that poisonous substance was found in the viscera of the victim but the post-mortem report reveals that no external injury was found,

particularly, resisting injury. During investigation it transpired that the husband of the victim was not happy with the complexion of the victim as a result the strained relationship between the victim and her husband got.

It is submitted by learned counsel for the petitioners that there is no specific accusation against the petitioners and considering the post-mortem report and the FSL report it appears that the victim consumed poison due to the strained relationship with the husband. It is further submitted that the husband of the victim is in custody.

Since no external injury has been found which suggests that the poison was not administered to the victim, similarly situated accused being other brother of the husband of the victim and the brother's wife, namely, Banarasi Choudhary and Kanti Devi have been granted anticipatory bail vide Cr. Misc. No. 23780 of 2014.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial

Magistrate, Gaya in connection with Tekari P.S. Case No. 81 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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