

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26935 of 2015

Arising Out of PS.Case No. -17 Year- 2015 Thana -SHIWAPATHI District- MUZAFFARPUR

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1. Bhikhari Giri son of Raghunath Giri,
 2. Sukhiya Devi wife of Bhikhari Giri,
 3. Kedar Giri son of Bhikhari Giri,
 4. Laxmi Giri son of Bhikhari Giri, all resident of village-Surjanpakri, P.S.-Siwaipatti, District-Muzaffarpur and
 5. Mamta Devi of Ram Ishwar Giri, resident of village-Sudama, P.S.-Sarlahi, District-Malangwa (Nepal).

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Hari Kishore Thakur

For the Opposite Party : Mr. Kanhaiya Kishore(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-09-2015

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 304(B), 201 and 34 of the Indian Penal Code.

It is alleged by the informant that the marriage of his daughter Rani Kumari was solemnized with Subhash Giri with presentation of cash and gifts and a motorbike was promised to given later. His daughter was living happily at her matrimonial house and in the meantime she gave birth of a seven months female child but for some time, she was asked to fetch motorbike. Thereafter these petitioners including husband of Rani Kumari continued to torture for fulfilling the above demand and there were also threatening to her. On 09.03.2015 someone informed the eldest daughter of informant that his sister Rani Kumari has been

strangled to death by her in-laws including husband who burnt the dead body.

It has been submitted on behalf of the petitioners that the petitioners have no criminal antecedent. Petitioner no.1 is father-in-law, petitioner no.2 mother-in-law, petitioners no.3 and 4 are Dewar and petitioner no.5 is *Nanad* of the deceased. Petitioners are separate mess and property from the husband of the deceased. They have no concern with the affairs of the husband of the deceased. They have been made accused due to mistake of fact. The main allegation is against the husband of the deceased.

On behalf of the State, it is submitted that the petitioners are named in the FIR.

Considering the aforesaid facts, let the above named petitioners, in the event of their arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Shri Javed Alam, Judicial Magistrate, Ist Class, Muzaffarpur in connection with Siwaipatti P.S.Case No.17 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sudhir Singh, J)

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