

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48375 of 2014

Arising out of PS.Case No. -379 Year- 2014 Thana -SITAMARHI District- SITAMARHI

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1. Champa Devi, W/o Khelawan Paswan.
 2. Khelawan Paswan, S/o Late Budhan Paswan. Both residents of Village-Muraliadih, P.S. Bajpatti, District Sitamarhi.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Virendra Kumar, Advocate.

For the Opposite Party : Mr. Meena Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-05-2015 The petitioners are apprehending their arrest in connection with Sitamarhi P.S. Case No. 379 of 2014 for the offences instituted under Sections 304(B) and 201/34 of the Indian Penal Code.

Heard learned counsel for the petitioners and the State.

The prosecution story, in brief, is that the daughter of the informant, namely, Archana Kumari, was married with Deepak Paswan, son of these petitioners, on 20.02.2013 according to Hindu rites and customs. The informant had given adequate materials at the time of marriage, as mentioned in the written report. One daughter was born in Sasural of the daughter of the informant after marriage, whose name is Deepanshu, aged about 4



months. It is further alleged that the husband of the informant and other family members were not happy with the articles, given at the time of marriage. All the accused persons with common intention, started committing physical and mental torture with the daughter of the informant and also told to bring Hero Honda Motorcycle and cash of Rs. One Lac for doing business. The daughter of informant showed inability then all the accused persons assaulted the daughter of the informant. They did not give proper meal and clothes and they behaved with her like maid servant. The daughter of the informant informed about behaviour on telephone to her parents. The son of the informant went to Sasural of the daughter of the informant. She told about torture committed by her husband and other family members. Thereafter, the son of the informant told for Bidagiri. The father-in-law of the informant, Khelawan Paswan(petitioner no. 2) was not ready for Bidagiri without supply of Motorcycle and cash in dowry. It is further alleged that when the son of the informant, namely, Sanjeev Paswan had gone to meet the daughter of the informant, she was physically fit and she wanted to come with the son of the informant, but the members of her Sasural did not allow her to go on account of non-fulfillment of demand of dowry. They also did not keep her properly and always told that they would kill Archana



Kumari(since deceased), if the Motorcycle and cash are not paid. It is further alleged that the accused persons kept the daughter of the informant in a rented house in village Chakmahila. The informant learnt that all the accused persons, after forming common object, had killed the daughter of the informant on 14.05.2014 for non-fulfillment of demand of dowry after burning her and had performed the last rites of the deceased on the bank of river Lakhandei, hurriedly without informing the informant and his family members.

It has been submitted on behalf of the petitioners that the petitioners are the mother-in-law and the father-in-law of the deceased. Number of paragraphs of the case diary has been referred on behalf of learned counsel for the petitioners which goes to show that the deceased, in course of cooking, got accidental fire due to which the deceased sustained burn injury. She was taken to the doctor one Chandra Bhushan Prasad. Subsequently, in course of her treatment, she succumbed to injury.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the fact that the deceased was subjected to accidental fire which she got in course of cooking, let the above named, petitioners, be released on bail in the event of their arrest

or surrender before the learned court below within a period of eight weeks from today in connection with Sitamarhi P.S. Case No. 379 of 2014 on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Sitamarhi, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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