

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16729 of 2016

Arising Out of PS.Case No. -8 Year- 2016 Thana -KISHANGANJ District- KISANGANJ

- =====
1. Mani Kumar Poddar (Husband) Son of Bisheshwar Poddar
 2. Bisheshwar Poddar (Father-in-Law) Son of Dukhan Poddar
 3. Krishna Devi @ Bachania Devi wife of Bisheshwar Poddar (Mother-in-Law)
 4. Vikram Poddar @ Vikram Kumar Poddar Son of Bisheshwar Poddar (Brother-in-Law)
 5. Rupesh Poddar @ Rupesh Kumar Poddar Son of Bisheshwar Poddar (Brother-in-Law) All residents of Motibag Polce Station Kishanganj District Kishanganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-05-2016

Heard learned counsel for the petitioners and the State.

The petitioners seek bail in a case instituted under Sections 304B/34 of the Indian Penal Code.

Allegation against the petitioners is that they used to torture sister of the informant due to non-fulfilment of demand of additional dowry and at last, she was burnt to death.

It has been submitted on behalf of the petitioners that they have got no criminal antecedent. They are in custody since 7.1.2016. Chargesheet has been submitted in the case. Petitioner no. 1 is husband, petitioner no. 2 is father-in-law, petitioner no. 3 is mother-in-law and petitioner nos. 4 and 5 are brothers-in law of the deceased. Petitioner nos. 2 to 5 are separate in mess and property from the husband of the deceased.

On behalf of the State, it is submitted that petitioners are named in the F.I.R. and there is specific allegation against

petitioner no. 1, who happens to be the husband of the deceased. Onus is upon husband of the deceased to explain the cause of death of the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to petitioner no. 1, same is rejected.

As far as petitioner nos. 2 to 5 are concerned, let them (above named petitioner nos. 2 to 5) be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj, in connection with Kishanganj P.S. Case no. 8 of 2016.

(Sudhir Singh, J)

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