

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9158 of 2016

Arising Out of PS.Case No. -736 Year- 2015 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Sanmukhiya Devi, wife of Sadhu Manjhi
 2. Sudhu Manjhi, son of Late Raghuni Manjhi, Both are resident of village- Jai Singhpur Magnuya, P.S.- Turkaulia, District- East Champaran

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. R.S.Choudhary (App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 16-05-2016 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in connection with
Turkalulia P.S. Case No. 736 of 2015 for the offences punishable
under Section 304 (B)/34 of the Indian Penal Code.

The Prosecution case is that the informant Ram Pukar
Manjhi filed a written petition before S.H.O., Turkaulia P.S. that
his sister, Bindu Devi got married with co-accused Sukhari Manjhi
two years before according to Hindu rite and customs. She lived at
her in-laws home peacefully for the period of one year. Thereafter,
petitioners along with co-accused started causing cruelty and
harassment to her followed with assault for fulfillment of demand



of dowry. The informant's sister used to inform about such incident to the informant through phone. On 10.10.2015 the informant received information that in-laws members have committed murder of informant's sister by causing hurt to her. On this, the informant had gone to in-laws home of his sister, where he found that none was present there and dead-body of his sister was lying on a mat in the home. From nearby persons, the informant came to know that for non-fulfillment of dowry, the accused persons have committed murder of informant's sister by causing hurt to her.

It has been submitted by the learned counsel for the petitioners that they are innocent and have not committed any offence. He submits that the allegations upon the petitioners by them is a general and omnibus and the husband of the deceased Bindu Devi is already in custody since 11.10.2015 and chargesheet has been submitted against him. He submits that the petitioners are father-in-law and mother-in-law of the deceased and they have separate home and hearth from that of her son and deceased.

However, the learned APP for the State submits that petitioners are named in the First Information Report hence, opposes the prayer for bail.

Be that as it may, since the husband of the deceased

has already been arrested, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand only) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Turkaulia P.S. Case No. 736 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J.)

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