

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9640 of 2016

Arising Out of PS.Case No. -47 Year- 2014 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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1. Raja Babu @ Soni Son of Rajkumar Sah
2. Sunita Devi@Seema devi Wife of Rajkumar Sah Both Resident of
Village & Po Sisahi P.s Pakridaya District East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arif Daula Siddiquie

For the Opposite Party/s : Mr. M.K.Nirala(App)

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER**

4 29-04-2016

Learned counsel appearing on behalf of petitioner
seeks permission to withdraw application of petitioner no.1, since
he has been arrested during the pendency of this application.

Such permission is accorded.

Accordingly, the application of petitioner no.1, Raja
Babu @ Soni is dismissed as withdrawn.

Heard learned counsel for the petitioner no.2 and the
learned A.P.P. for the State.

The petitioner no. 2 apprehends his arrest in
connection with Pakridayal P.S. Case No. 47 of 2014 registered
under Sections 304(B), 120(B) and 201/34 of the Indian Penal
Code.

The accusation is of killing of daughter of the informant by her husband and in-laws due to non-fulfillment of demand of dowry and also to dispose of the dead body.

Learned counsel appearing on behalf of the petitioner submits that petitioner no.2 is mother-in-law of the deceased and has falsely been implicated in this case due to ulterior motive. Further submission is that it would appear from the F.I.R. itself that the occurrence is said to be of 30.11.2013 but the Complaint Petition has been filed on 02.01.2014 after more than one month. In fact, the daughter of the informant had illicit relation with other and she herself left the in-laws' house on 30.11.2013 without giving information to the family. Thereafter, the information was given to this effect to the informant also, but with ulterior motive the informant lodged the complaint case with false allegation, which is the basis of F.I.R. Further submission is that Raja Babu @ Soni, husband of the informant, is in jail custody.

Having considered the facts and circumstances of the case, let the above named petitioner no.2, Sunita Devi, be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like

amount each to the satisfaction of the S.D.J.M., Dhaka, Dist- East
Champanan in connection with Pakridayal P.S. Case No. 47 of
2014 subject to the condition as laid down under Section 438(2) of
the Cr. P.C.

(Rajendra Kumar Mishra, J)

Shail/-

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