

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9720 of 2016

Arising Out of PS.Case No. -89 Year- 2015 Thana -SIMRI District- DARBHANGA

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1. Baidya Nath Singh, S/o Late Thakur Brahmadeo Prasad Singh
 2. Ranjan Singh,
 3. Munna Singh @ Muna Singh
 4. Pintu Singh, all sons of Baidya Nath Singh
 5. Sandhya Devi W/o, Baidya Nath Singh, all resident of Village Bharathi, P.S. Simari, District- Darbhanga.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sarvesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary , APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 17-05-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in connection
with Simari P. S. Case No. 89 of 2015 for offences alleged
under Section 304-B/34 of the Indian Penal Code and Section
3/4 of the Dowry Prohibition Act.

The prosecution case as lodged by the informant is
that the daughter of informant Juli Kumari was married with
petitioner Munna Singh in the year, 2013. After the marriage,
victim was subjected to torture and cruelty for non-fulfillment
of demand of motor cycle and chain by the petitioners and

others. On 04.07.2015, accused-petitioners and others after sprinkling kerosene oil committed murder of victim and at 2.00 P.M. in the mid night, informant went at the matrimonial home of his deceased daughter when the accused-petitioners leaving seven months child fled away.

It has been submitted by the learned counsel for the petitioners that they are innocent and all of them are in-laws of the deceased Juli Kumari and the petitioner No. 3 is the husband of the victim. He further submits that during course of investigation, it was found that all the petitioners used to stay in Delhi for earning their livelihood and the victim lived with one of the *Dewar, Sahil @ Raushan and Gotni, Soni Devi* who have committed the said offence. It has been submitted that this has been supported by the mother of the victim and grand-father of the victim, who have also stated that all the petitioners used to stay in Delhi. He further submits that after investigation, the case has been found true against one Sahil Kumar @ Raushan and one Soni Devi and charge-sheet has also been submitted against one of them.

However, learned APP for the State submits that although the witnesses have not supported the prosecution case but since the petitioners are named in the F.I.R., hence, they do

not deserve the privilege of bail.

Be that as it may, considering the facts and circumstances that the petitioners were residing at Delhi as stated by the witnesses including the husband petitioner No. 3, 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, Darbhanga in connection with Simari P.S. Case No. 89 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

ajaypd./-

(Nilu Agrawal, J)

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