

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16082 of 2016

Arising Out of PS.Case No. -25 Year- 2016 Thana -KHAIRA District- SARAN

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1. Sitapati Kuar Wife of Late Baijnath Sah,
 2. Vinod Prasad @ Vinod Kumar Son of Late Baijnath Sah, Both are R/o Village- Affaur, P.S.- Khairah, District- Saran.
 3. Daulat Devi W/o Laxman Prasad R/o Village- Pirganj, Sheetalpur, P.S.- Dighwara, District- Saran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Prakash Chandra Jha, Advocate.
For the Opposite Party : Mr. C. Jawahar (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 19-05-2016 Heard both sides.

The petitioners apprehend their arrest in Khaira (Nagar) P.S. Case No. 25 of 2016, registered for the offences punishable under Sections 304(B), 201 and 34 of the Indian Penal Code.

The informant filed Complaint Case No. 3428 of 2015 on the basis of which the present FIR is lodged. The informant alleged that he married his daughter with Ashok Prasad. After marriage the husband of her daughter and other in-laws demanded dowry and subjected her daughter to torture. The daughter of the informant filed Complaint Case No. 3559 of 2013 in which cognizance was taken, but later on the case was compromised and ended in acquittal of the accused. Thereafter the accused persons killed his daughter and cremated her dead body without giving information to the informant.

Learned counsel for the petitioners submits that the petitioners are mother-in-law, brother-in-law and married sister-in-law of the deceased. The deceased was living with her husband in Muzaffarnagar where she died on account of respiratory problem on 25.10.2015. The deceased was under treatment of doctors in the year 2012, the prescriptions of which have been annexed as Annexure -3 series. It is further submitted that the petitioners have no manner of concern with the family affairs of the deceased and her husband.

Considering the facts aforesaid and the fact that the deceased was suffering from different ailments and she was under treatment, the petitioners are in-laws of the deceased and no specific allegation of demand of dowry and torture is made against them, they above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail 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 Additional Chief Judicial Magistrate, Chapra in Khaira (Nagar) P.S. Case No. 25 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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