

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16899 of 2016

Arising Out of PS.Case No. -11 Year- 2016 Thana -GORAUL District- VAISHALI(HAJIPUR)

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1. Jawahir Singh Son of Late Ram Brikch Singh,
 2. Sanju Devi, Wife of Jawahir Singh,
 3. Guddu Kumar, Son of Jawahir Singh, All are resident of village - Paigamberpur Gorigama, P.S. - Goraul, District - Vaishali.
 4. Nitu Kumari Wife of Amit Kumar, D/o Jawahir Singh, Resident of Village - Maibhara, P.S. - Goraul, District - Vaishali.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Awadhesh Kumar Singh, Advocate.
For the Opposite Party : Mr. Ajay Kr. 2(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 18-08-2016 Heard both sides.

The petitioners apprehend their arrest in Goraul P.S.
Case No. 11 of 2016 registered for the offences punishable under
Sections 341, 323, 304(B) and 34 of the Indian Penal Code.

The informant alleged that his daughter was married on
17.04.2015 with Amit Kumar, son of petitioner no. 1 and 2
Jawahir Singh and Sanju Devi. The accused persons were
demanding money and motorcycle and due to non-fulfillment of
demand of dowry, the daughter of the informant was killed and
her dead body was cremated.

It is submitted that the petitioners are father-in-law,



mother-in-law, brother-in-law and married sister-in-law of the deceased and they never demanded any dowry nor tortured the deceased. The informant himself came on 18.01.2016 after death of his daughter and filed a petition before the SHO, Goraul police station that his daughter died due to abdominal pain and on the next day the informant filed this petition before the SHO, Goraul police station making allegation of demand of dowry and torture.

It is submitted that even during the course of investigation some of the witnesses have stated that at the time of death of the daughter of the informant only her husband was present.

On the other hand learned counsel for the informant as well as learned APP vehemently opposed the prayer for anticipatory bail of the petitioners.

It appears that the informant after receiving information went to the house of his daughter on 18.01.2016 and on the same day the informant in his own handwriting bearing his signature filed petition before the SHO Goraul police station stating that his daughter died due to abdominal pain and on the next day the informant himself lodged the case making allegation of demand of dowry and torture against the husband and all the family members of the deceased.

Considering the facts aforesaid, the petitioners 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 Sub-Divisional Judicial Magistrate, Vaishali at Hajipur in Goraul P.S. Case No. 11 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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