

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17566 of 2016

Arising Out of PS.Case No. -408 Year- 2015 Thana -SUPAUL District- SUPAUL

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1. Md. Sahid son of Mohammad Miyan
 2. Rehana Khatoon wife of Md. Sahid
 3. Md. Gaffar son of Md. Sahid All are residents of village - Telwa, P.S. + District - Supaul.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Yogendra Kr. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 30-09-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the mother of the husband of the daughter of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A and 304B/34 of the Indian Penal Code.

The accusation is of killing the daughter of the informant namely Koresa Khatoon by causing burn injury after three years of the marriage for non-fulfillment of the dowry demand.

It is submitted by the learned counsel for the petitioners that the victim died due to accidental burn injury while cooking. The petitioner provided medical assistance by taking her firstly to

Sadar Hospital, Supaul and thereafter to PMCH but she died on 22.09.2015. The husband of the victim is already in custody and the informant has subsequently retracted from his initial version and filed a petition to that effect before the learned court below.

Learned APP, after going through the case diary, submits that independent witness in paragraph nos. 19 and 20 of the case diary have suggested that the petitioners and other in-laws people caused burn injury. The occurrence took place on 19.09.2015 but the victim was taken to the hospital on 20.09.2015, though, in para 9 and 10 of the case diary, witnesses have also suggested that the petitioners and other family members took the victim to the hospital. The postmortem report reflects cause of death due to 60% burn injury.

Considering the nature of accusation, this Court is not inclined to grant anticipatory bail to the petitioners.

Let the learned court below consider the prayer for bail of the petitioners if they surrender within a period of six weeks in connection with Supaul P.S. Case No. 408 of 2015 pending in the court of learned CJM, Supaul.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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