

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23641 of 2016

Arising Out of PS.Case No. -364 Year- 2015 Thana -TAJPUR District- SAMASTIPUR

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1. Laddu Lal Das Son of Late Dhaneshwar Das
2. Bholiya Devi @ Orhul Devi W/o Laddu Lal Das Both residents of
Village - Rajkha Rampur, P.S. - Tajpur, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar

For the Opposite Party/s : Mr. Uday Chand Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 30-05-2016 Heard learned counsels for the petitioners and the State as
also learned counsel for the informant.

The petitioners, being parents of the husband of the
daughter of the informant, are apprehending their arrest in a case
registered for the offences punishable under Sections 304 (B) and
34 of the Indian Penal Code.

The prosecution case, in short, is that the marriage of the
daughter of the informant was performed on 27.07.2015. It is
alleged that the informant's daughter was subjected to torture for
demand of golden locket and due to non-fulfilment of the same,
she was killed by gagging and assaulting her.

It is submitted by learned counsel for the petitioners that

the postmortem report reflects no external or internal injury and viscera has been preserved, as the cause of death has not been ascertained by the Doctor. It is further submitted that the thrust of accusation is against the husband of the victim.

Learned counsel for the informant submits that the victim was gagged and brutally assaulted, though at the time of preparation of inquest the blood was oozing out of victim's mouth.

Considering the inconsistency between the viscera report and the post-mortem report, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate- Ist, Samastipur in connection with Tajpur P.S. Case No.364 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

V.P.Sinha/-

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