

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44901 of 2016

Arising Out of PS.Case No. -43 Year- 2016 Thana -MAHILA P.S. District- SIWAN

- =====
1. Shushila Devi@ Sushila Kuwar wife of Late Duryodhan Chaurasia
 2. Sukesh Chaurasia son of Late Duryodhan Chaurasia

.... Petitioner/s

Versus

1. The State of Bihar
2. Sandhya Devi wife of Jai Prakash Chaurasia, D/o Makardhwaz Chaurasia

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-10-2016 Heard learned counsels for the petitioners and the State.

The petitioners being mother and brother of the husband of the informant are languishing in custody since 18.08.2016 in a case registered for the offences punishable under sections 341, 323, 498A, 304 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Basic accusation is of torture for non-fulfillment of dowry demand and killing the minor son of the informant.

It is submitted by learned counsel for the petitioners that the marriage of the informant was performed with the son and brother of the petitioners namely Jai Prakash Chaurasia. The informant gave birth to an unhealthy male child on 12.08.2015.

The child was treated by several doctors at the expense of the husband of the informant. The medical prescriptions have been brought on record as Annexure-2 series. The informant was present during course of treatment and in her presence her son died on 14.02.2016 whereafter the informant left the matrimonial house and ultimately filed the present case on 16.06.2016 about after four months of the death of the child. The accusation is omnibus and general.

Considering the delayed lodging of the case and the accusation being omnibus and general, let the above named petitioners be released 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 learned SDJM, Siwan, in connection with Siwan Mahila P.S. Case No.43/2016.

(Dinesh Kumar Singh, J)

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