

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28160 of 2016

Arising Out of PS.Case No. -522 Year- 2015 Thana -MANER District- PATNA

- =====
1. Geeta Devi & Anr W/o of Late Baijnath Rai
 2. Harendra Rai S/o Late Baijnath Rai Both resident of village - Reva Lilla Tola, P.S. Bihta, District- Patna

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.31979 of 2016

Arising Out of PS.Case No. -522 Year- 2015 Thana -MANER District- PATNA

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Pinki Devi @ Smt. Pinki Devi W/o Harendra Rai resident of village - Reva Lilla Tola, P.S. Bihta, District Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.28160 of 2016)

For the Petitioners : Mr. Sunil Kumar, Advocate

For the Opposite Party : Mr. Sri Jitendra Kumar Singh, APP

(In Cr.Misc. No.31979 of 2016)

For the Petitioner : Mr. Sunil Kumar, Advocate

For the Opposite Party : Mr. Sri Ram Sumiran Roy, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

4 03-10-2016

Heard learned counsels for the petitioners and the State.

The petitioners being the mother, brother and brother's wife of the husband of the daughter of the informant are apprehending their arrest in a case registered for the offences punishable under Sections 498(A) and 304(B)/34 of the Indian

Penal Code.

The prosecution case is that the daughter of the informant, namely, Poonam Devi was married with Satyendra Rai on 26.05.2016 and there is further demand of dowry of a car. For non-fulfilment of dowry demand the accused persons caused burn injuries to the daughter of the informant who succumbed to injury.

It is submitted by learned counsel for the petitioners that the petitioners are separate from the husband of the deceased. There is general and omnibus allegation against the petitioners. There is not eye witness to the alleged occurrence.

It is submitted by learned counsel for the State that though there is no eye witness to the alleged occurrence and the accusation is omnibus and general though the victim died within one year of the marriage.

Considering the accusation being omnibus and general and petitioners being ladies, let the petitioner, namely, Geeta Devi (Cr.Misc.No.28160 of 2016) and petitioner, Pinki Devi @ Smt. Pinki Devi (Cr.Misc.No.31979 of 2016) be released on anticipatory bail till conclusion of investigation, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, 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 ACJM, Danapur at Patna in connection with Maner P.S.Case No.522 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioners, will be accepted after filing an affidavit by each petitioner before the court below that she will regularly cooperate with the investigation. The said affidavit will be transmitted by the learned court below to the concerned I.O. Non-cooperation in the investigation will give liberty to the prosecution to file an application before the learned court below to cancel her bail bonds.

So far as petitioner Harendra Rai (Cr.Misc.No.28160 of 2016) is concerned, let the learned court below consider his bail in case he surrenders before the learned court below within six weeks.

(Dinesh Kumar Singh, J)

B.Kr./-

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