

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52299 of 2015

Arising Out of PS.Case No. -86 Year- 2015 Thana -SINGHIYA District- SAMASTIPUR

1. Ghurni Devi wife of Moti Sada.
2. Manoj Sada son of Moti Sada Both are resident of Village- Jamua, P.S. Singhia, District- Samastipur. Petitioners

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh
For the Opposite Party/s : Mr. Jitendra Kumar Roy 1 (App)

CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

3 04-02-2016 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in a case under sections 328, 304B, 201/34 of the Indian Penal Code.

It is alleged that the accused persons for non-fulfillment of demand of dowry burnt the deceased and hurriedly cremated her dead body.

Learned counsel for the petitioners submits that it is not ascertained whether the dead body recovered was of the victim girl. He submits that the father-in-law and the husband of the victim are already in custody. There is no direct evidence against the petitioners that they administered poison.

Having regard to the facts and circumstances of the case, petitioner no.2 Manoj Sada is directed to be released on anticipatory bail, in the event of his arrest/surrender, on furnishing

bail bond of Rs.5,000/- with two sureties of the like amount each to the satisfaction of the S.D.J.M., Rosera, Samastipur in Singhia P.S. Case No.86 of 2015.

So far as petitioner no.1 Ghurni Devi is concerned the grounds raised by her could be a good ground for regular bail. Her prayer for anticipatory bail is rejected. However, If petitioner No.1 surrender and pray for regular bail, the same would be disposed of on the same day taking into consideration that other members of the family are already in custody and there is no direct evidence of administering poison by her.

(Samarendra Pratap Singh, J)

KHAN/-

U			
---	--	--	--