

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34435 of 2016

Arising Out of PS.Case No. -160 Year- 2013 Thana -GOPALPUR District- GOPALGANJ

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1. Banarasi Ram, Son of Bujhawan Ram
2. Mohan Ram, Son of Banarasi Ram
3. Ranjit Ram, Son of Banarasi Ram
4. Chandan Ram, Son of Shewnarayan Ram @ Shewnath Ram All residents of village- Khelgaon, P.S. Gopalpur, District- Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey

For the Opposite Party/s : Mr. Sri Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 22-09-2016

Heard both sides.

The petitioners apprehend their arrest in Gopalpur P.S. Case No. 160 of 2013, registered for the offences punishable under Sections 304B, 201/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The informant alleged that his daughter was married to Mohan Ram (petitioner no. 2), son of Banarasi Ram (Petitioner no. 1) but after marriage her husband and others tortured her. On 28.12.2013, the informant got information that his daughter was killed by the accused persons.

Learned counsel for the petitioners submits that the

petitioner no. 1 is father-in-law, petitioner no. 2 is husband, petitioner no. 3 is brother-in-law and petitioner no. 4 is relative of the husband of the deceased. The deceased was pregnant and she died due to labour pain. During course of the investigation witnesses have stated that the deceased died on account of labour pain.

It appears from perusal of the FIR that within one year of her marriage the deceased died and her dead body was cremated hurriedly. Petitioner no. 2 is the husband of the deceased.

Considering the facts aforesaid, I am not inclined to enlarge petitioner no. 2 Mohan Ram above named on anticipatory bail. Accordingly, the same is rejected.

So far as the case of petitioner nos. 1, 3 and 4 is concerned, they are in-laws and relative of the husband of the deceased and there is no specific allegation against them.

Considering the facts aforesaid and the fact that no specific allegation is made against petitioner nos. 1, 3 and 4, petitioner nos. 1, 3 and 4 above named in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 the learned Additional Chief Judicial Magistrate, Gopalganj in connection with Gopalpur P.S. Case No. 160/2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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