

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41257 of 2016

Arising Out of PS.Case No. -19 Year- 2015 Thana -MAIN P.S. District- GAYA

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1. Chitranjan Sharma, S/o- Late Thakur Singh
2. Kanti Devi, W/o- Chitranjan Sharma Both resident of Village- Turi, P.S.-
Main, District- Gaya, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Devnandan Prasad Rai, S/o Late Varun Prasad Rai, Resident of Village-
Baradasa, Thana- Palajodi, District- Devghar, Jharkhand.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4 20-12-2016 Heard both sides.

The petitioners apprehend their arrest in Main P.S.
case No. 19 of 2015 under Section 304B, 120B of the Indian
Penal Code.

The informant, father of the deceased, alleged that he
got information that his daughter was killed by her husband,
father-in-law and mother-in-law and they put her dead body to
Primary Health Centre, Belaganj. He saw the dead body lying and
the accused persons were not present. The informant further
alleged that his daughter was married to Sanjeev Kumar in the
year 2001 but her husband and other in-laws were always



subjecting her to physical and mental torture. She also filed complaint case No. 2422 of 2012 in the court of learned Chief Judicial Magistrate, Dhanbad. It is alleged that on 08.01.2015, on the basis of compromise, the accused persons took her daughter to their house and after some time they killed her.

The learned counsel for the petitioners submits that petitioners are father-in-law and mother-in-law of the deceased. The occurrence took place after 14 years of the marriage. There is no specific allegation of demand of dowry and torture against the petitioners. The post mortem report shows that the deceased died due to electrocution but it appears from the perusal of the FIR and the case diary that informant made specific allegation that his daughter filed Complaint case No. 2422 of 2012 in the court of learned Chief Judicial Magistrate, Dhanbad and the deceased made specific allegation that the accused persons started demanding dowry when the husband of deceased became officer and due to non-fulfillment of additional dowry the petitioners and husband of the deceased used to subject her to physical and mental torture. In the complaint, prima facie case was found against the petitioners and the husband of deceased under Section 498A of the IPC. The informant also alleged that on the basis of compromise the petitioners and husband of the deceased took the deceased to



their house on 08.01.2015 and thereafter, within six months, the daughter of the informant was killed. Of course, the post mortem report shows that she died of burn injuries caused by electrocution but there is no such circumstance showing that the deceased got burn injuries in electrocution due to accident.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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