

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54213 of 2015

Arising Out of PS.Case No. -225 Year- 2015 Thana -MAKHDUMPUR District- JEHANABAD

1. Soni Kumari @ Priyanka Kumari Daughter of Bindeshwar Prasad
2. Sonu Kumar @ Karn Kumar Son of Bindeshwar Prasad Both are
Resident of Village - Tehta Math, P.S.- Makhdumpur in the District of
Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Uma Nath Mishra(App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 01-03-2016 Heard the Counsel for the petitioners, the informant as well
as the State.

Petitioners herein are unmarried *nanad* and unmarried *devar*
of the deceased/victim. They are facing prosecution punishable
under sections 302/34 of the Indian Penal Code vide Makhdumpur
(Tehta) P.S. Case No. 225 of 2015.

The allegation is that the deceased was married to one of the
sons of accused Bindeshwar Prasad 15 years ago. The wedlock
produced one son. Off late, she was tortured for non-fulfilment of
demand of dowry. Ultimately, she was done to death in the
matrimonial home.

Counsel for the petitioner states that on an information
received by the Police as well as the informant, they arrived at the



house and found the deceased lying with ligature mark on her neck. Indisputably, the husband of the deceased had solemnized second marriage. There were skirmishes going on between the two wives and the husband from before. In course of investigation, the witnesses have only given hearsay account. The son of the deceased, who was present with mother, was not examined purposely. The petitioners being younger family members had absolutely no commanding role in the affairs of the family. They are pursuing their studies and carrying no criminal antecedent.

Considering the facts and circumstances of the case, In the event of arrest or surrender in the Court below within four weeks, the petitioners abovenamed are directed to be released on anticipatory 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 Additional Chief Judicial Magistrate, Jehanabad in Makhdumpur (Tehta) P.S. Case No. 225 of 2015 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioners.

(ii) In case of framing of charge, the petitioners shall appear in person on each and every date fixed in the Court below. In case

of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioners and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

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