

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1582 of 2016

Arising Out of PS.Case No. -144 Year- 2015 Thana -SAHKUND District- BHAGALPUR

- =====
1. Dharmendra @ Dharmendra Mandal @ Malkha son of Dayanand Mandal
 2. Hema Devi wife of Dayanand Mandal
 3. Dayanand Mandal son of Late Kapuri Mandal All residents of Village - Kapsouna, Police Station - Sahkund, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal, Advocate
For the Opposite Party/s : Mr. S.M.Rahman(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 04-07-2016

Heard learned counsel for the petitioners and the State.

The petitioners being the parents of the husband of the informant are apprehending their arrest in a case registered for the offences punishable under Sections 304B, 201/34 of the Indian Penal Code.

The prosecution case is that the daughter of the informant was taken to matrimonial house by her husband Biro Mandal with two years old child and on the same day daughter of the informant informed about torture and non supply of food. The informant conveyed this fact to her husband on 12.05.2015. On the same day the son-in-law of the informant came and conveyed that



the daughter of the informant quarreled with him and thereafter she went traceless. The informant makes effort to search the victim, but she could not be located, thereafter the First Information Report was lodged on 01.08.2015.

It is submitted by the learned counsel for the petitioners that thrust of accusation is against the husband of the daughter of the informant. The victim along with children are still traceless, but till date it has not been ascertained whether the victim is dead or alive. The First Information Report does not disclose the date of marriage nor during investigation date of marriage has been ascertained. Though, the petitioners' claim that the marriage was performed eight years prior to the lodging of the case.

Learned A.P.P. after going through the case diary submits that the victim is still traceless. The investigating agency has yet not investigated the exact date of marriage. which reflects casual manner in which the investigation has been conducted so far.

Considering the fact that till date the death of the victim has not been ascertained and thrust of accusation is against the husband of the daughter of the informant, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned

court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bhagalpur in connection with Sahkund P.S. Case No. 144 of 2015, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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