

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17453 of 2016

Arising Out of PS.Case No. -270 Year- 2014 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Dhiraj Singh son of Kameshwar Singh
 2. Kameshwar Singh son of Late Shyam Nandan Singh,
 3. Kamal Devi @ Komal Devi wife of Kameshwar Singh, All are resident of village- Kauriya, P.S.- Madhuban, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sangita Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-04-2016 Heard learned counsels for the petitioners and the State.

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

The accusation is of killing the daughter of the informant after four years of marriage for non fulfillment of dowry demands.

It is submitted by the learned counsel for the petitioners that the marriage was performed nine years prior to the death of the victim hence the case does not come within the purview of

section 304B IPC. The petitioner claims to be separate from the husband of the victim and the thrust of accusation is against the husband of the victim. As per own admission of the informant, he came to know about the death of his daughter on 30.10.2014 but the written report was submitted on 5.11.2014. It is further submitted that the informant retracted from the initial version and has filed a petition to that effect before the learned court below.

Considering the delayed lodging of the case, the retracted version of the informant and the thrust of accusation being against the husband of the victim, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned SDJM, Sadar, Motihari, East Champaran in connection with Madhuban P.S. Case No.270 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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