

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19092 of 2016

Arising Out of PS.Case No. -25 Year- 2016 Thana -LAKHNAUR District- MADHUBANI

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1. Upendra Narain Das S/o Late Awadh Narain Das
 2. Ram Babu Das S/o - Upendra Narain Das
 3. Ranju Kumari @ Renu Kumari daughter of Upendra Narain Das All residents of village - Deep (West), P.S. - Lakhnaur (R.S.O.P.), District - Madhubani.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok, Adv.

For the Opposite Party/s : Mr. Asha Devi(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 27-06-2016 Heard learned counsels for the petitioners and the State.

The petitioners being the father, brother and unmarried sister of the husband of the victim are apprehending arrest in a case registered for the offences punishable under Sections 498A and 304B/34 of the Indian Penal Code.

The prosecution case is of killing the daughter of the informant after three years of the marriage by causing burn injury for non-fulfillment of the dowry demand.

It is submitted by learned counsel for the petitioner that the victim (daughter of the informant) lodged a Sanha before the Officer-In-Charge, Madhubani to the effect that she was already married but she was being enticed by the co-villager Shyam



Kumar Das who subsequently performed marriage with her and thereafter started inflicting torture by assaulting. The victim received accidental burn injury while cooking and she was provided medical assistance when the informant being the co-villager in spite of knowledge of the injury failed to take care of the victim. The victim received burn injury on 02.02.2016 when she died on 15.02.2016 and the FIR was lodged on 18.02.2016 but the statement of the victim was not recorded by the police maliciously.

Learned counsel for the informant and learned APP after going through the case diary submits that statements of independent witnesses have been recorded in paragraph nos. 6 to 9 of the case diary where they have supported the prosecution case as they have stated that when they reached at the spot the victim conveyed to them that her husband and other in-laws members caused her burn injury. The marriage between the petitioner and Shyam Narayan Das is admitted.

Considering the nature of accusation, this Court is not inclined to grant anticipatory bail to petitioner nos. 1 and 2.

Accordingly, the application with regard to petitioner nos. 1 and 2 is rejected.

So far as petitioner no.3 is concerned, since she is a

unmarried girl and accusation is omnibus and general against her, let the above named petitioner no.3 be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Jhanjharpur, Madhubani in connection with Lakhnaur (R.S.O.P) P.S. Case No. 25 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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