

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29718 of 2016

Arising Out of PS.Case No. -20 Year- 2016 Thana -SONBERSA District- SAHARSA

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1. Domni Devi wife of Bharat Mandal resident of Village - Kanaua, P.S. - Sonbarsa Raj, District - Saharsa.
 2. Sanjan Kumari daughter of Bharat Mandal resident of Village - Kanaua, P.S. - Sonbarsa Raj, District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Sri Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

4 03-10-2016

Heard learned counsel for the petitioners and the State.

The petitioners being the mother and unmarried sister of husband of the daughter of the informant are apprehending their arrest in a case registered for the offences punishable under Sections 498A, 304B, 201, 120B/34 of the Indian Penal Code.

The prosecution case is that the informant's daughter Punita Devi was married with Amit Kumar Mandal six months prior to the occurrence. The in-laws family members used to inflict torture for non-fulfillment of dowry demand. On 15.02.2016 the informant came to know that a dead body is lying near the canal. The informant went there to see the dead body and identified

the same as her daughter.

It is submitted by the learned counsel for the petitioners that there is no eye witness to the occurrence and the accusation of demand of dowry is not specific against the petitioners. Petitioner no. 1 is old mother of the husband of the daughter of the informant and petitioner no. 2 is unmarried sister of husband of the daughter of the informant.

Learned A.P.P. after going thorough the case diary submits that dead body was recovered from near the canal, when cut injury was found on the neck of the victim.

Considering the fact that daughter of the informant was killed just after six months of the marriage and no case was lodged by the husband of the victim when she went missing, this Court is not inclined to grant bail to petitioner no. 1 namely, Domni Devi.

Accordingly, the prayer for bail with regard to petitioner no. 1 namely Domni Devi is rejected.

So far as petitioner no. 2 is concerned, since she is unmarried girl and accusation is not specific against her, let the above named petitioner no. 2 namely Sanjan Kumari 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 Chief Judicial Magistrate, Saharsa in connection with Sonbarsa Raj P.S. Case No. 20 of 2016, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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