

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44412 of 2016

Arising Out of PS.Case No. -901 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

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1. Binod Chaudhary @ Vinod Chaudhary S/o Late Jagdeo Choudhary
2. Sunita Devi W/o Vinod Chaudhary @ Binod Chaudhary Both R/o
Village Abdul Nagar, @ Sadhopur, P.S. Ahiyapur, Distt. Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Sri Binod Kumar 3

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 25-10-2016 Heard learned counsel for the petitioners and the

learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Ahiyapur P.S. Case No. 901 of 2015 registered under Section
304(a)/34 of the Indian Penal Code.

The accusation is of killing of daughter of the
informant by her husband and in-laws' due to non-fulfillment of
demand of dowry.

Learned counsel appearing on behalf of the
petitioners submits that admittedly, the marriage of the deceased
Neema Devi, daughter of the informant, was performed with
Pankaj Kumar, brother of the petitioner no.1 before 7 years. As
such, section 304B of the I.P.C. will not be attracted. Further

submission is that it would appears from the F.I.R. that there is general and omnibus allegation against the husband and in-laws' about torturing the deceased, daughter of the informant and causing her death due to non-fulfillment of demand of dowry. The petitioners are father-in-law and sister-in-law of the deceased. It is further submitted that Shrawan Chaudhary and Mintu Devi, who are also brother-in-law and sister-in-law, have already been allowed anticipatory bail by a Bench of this Court vide Cr. Misc. No. 54538 of 2015 on 02.12.2015.

Having considered the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of four 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 the C.J.M., Muzaffarpur in connection with Ahiyapur P.S. Case No. 901 of 2015, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J)

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