

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49231 of 2016

Arising Out of PS.Case No. -53 Year- 2016 Thana -PANCHRUKHI District- SIWAN

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1. Surendra Pandey @ Surender Pandey son of Late Rama Ji Pandey
2. Ramawati Kuar wife of Late Rama Ji Pandey Both residents of village +
P.O. - Papaur, P.S. - Pachrukhi Sarai, District - Siwan, Bihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Lal

For the Opposite Party/s : Mr. Sri Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 09-12-2016 Heard the counsel for the petitioners and Mr. Bharat Lal, APP for the State.

A supplementary affidavit is filed.

The petitioners herein are the husband and the mother-in-law respectively of the deceased and are facing accusation punishable under sections 304-B and 201/34 IPC, vide Pachrukhi Sari P.S. Case No. 53 of 2016.

The mother of the victim lodged the case that her daughter was married to petitioner no.1 in 2009 whereafter the in-laws, including the husband, started torturing her on account of non-fulfillment of dowry. Recently, the informant sold the land and gave some money to the petitioner no.1 still then they kept torturing the victim/deceased. On the date of occurrence it was



informed that her daughter has been killed at Sasural inasmuch as her dead body was disposed of.

The contention of the petitioners is that the deceased died of natural death. The information was duly given to the informant. Petitioner no.1 is a heart patient while petitioner no.2 is an old lady. There is no direct evidence incriminating the petitioners in the alleged crime. They are in custody since 12.04.2016. Referring to Annexure-2, it is submitted that the informant has filed an application that the implication of the petitioners in the crime by her is incorrect.

Learned APP opposed the prayer and submitted that there is specific allegation against the petitioners in the FIR. Referring to the impugned order, it is submitted that the witnesses have supported the prosecution case.

Considering the facts and circumstances of the case, this Court is not inclined to extend the privilege of bail to the petitioners. Prayer is accordingly refused.

Petitioner no.2 being a lady shall, however, renew her prayer for bail after six months in the court below itself.

(Kishore Kumar Mandal, J)

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