

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30218 of 2015

Arising Out of PS.Case No. -338 Year- 2014 Thana -PANCHRUKHI District- SIWAN

- =====
1. Brij Kumari Devi wife of Dharam Tiwari @ Dharmanatha tiwari
 2. Dharam Tiwari @ Dharmanatha Tiwari Son of late Keshav Tiwari
 3. Sanjay Tiwari son of Dharam Tiwari @ Dharmanatha Tiwari
 4. Sanju Devi wife of Sanjay Tiwari
- All resident of Village Tarwara Tola P.S. G.B. Nagar, District Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Naresh Dikshit

For the Opposite Party/s : Mr. Binod Kumar No. 2(App)

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

6 25-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

Earlier case diary alongwith the FSL report was called
for, which have since been received.

The petitioners apprehend their arrest in connection
with Pachrukhi (G.B. Nagar) P.S. Case No. 338 of 2014
registered for the offences punishable under Sections 304B/34 of
the Indian Penal Code read with Section 3 of the Dowry
Prohibition Act.

Learned counsel for the petitioners submits that only on
the basis of suspicion, the present case has been lodged against the
petitioners. The case is of natural death.

Learned counsel for the State on perusal of the case diary submits that there is no further material in the case diary to implicate the petitioner in the present case, save and except, the allegation, which has been based purely on suspicion. It is further submitted that on perusal of the FSL report, which has been received in this Court today, no Metallic, Alkaloidal, Glycosidal, Pesticidal and Volatile poison could be detected in dark brown fluid in the contents of plastic jar.

Considering the aforesaid facts and circumstances of the case and on perusal of the FSL report which has been received today indicates that there was no poison in the viscera of the deceased, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Siwan in connection with Pachrukhi G.B. Nagar P.S. Case No. 338/2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J)

Jagdish/-

U		T	
---	--	---	--