

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32167 of 2016

Arising Out of PS.Case No. -22 Year- 2015 Thana -DEORIYA District- MUZAFFARPUR

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1. Nitendra Sharma S/o Shivdhari Sharma
2. Shivdhari Sharma S/o Raghubir Sharma
3. Urmila Devi W/o Shivdhari Sharma
4. Amol Sharma @ Amod Sharma S/o Shivdhari Sharma
5. Jitendra Sharma S/o Shivdhari Sharma
6. Sarita Kumari D/o Shivdhari Sharma All are R/o Village - Chainpura,
P.S. - Deoriya, District - Muzaffarpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Gajendra Kumar Singh, Advocate.

For the Opposite Party : Mr. Nirmal Kumar Sinha, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 22-10-2016 Heard both sides.

The petitioners apprehend their arrest in Deoriya P.S.
Case No. 22 of 2015 registered for the offences punishable under
Sections 302, 201 and 304(B) of the Indian Penal Code and
Sections 3/4 of the Dowry Prohibition Act.

The informant filed the complaint case no. 241 of 2015,
alleging therein that his daughter Priyanka was married to
Nitendra Sharma petitioner no. 1 on 30.04.2012. The accused
persons began to demand Rs. 1,00,000/- more but after much
persuasion the marriage was solemnized. The informant alleged
that on 01.02.2015 he went to Sasural of his daughter and the

informant came to know that his daughter was taken to Haryana. The informant went there on 03.02.2015 and found his daughter hale and hearty. On 12.02.2015 the cousin of the deceased went to the house of the petitioner but the deceased was not found.

Learned counsel for the petitioners submits that the entire allegation is false and concocted. The deceased Priyanka was suffering from Multiple Hepatic Hypodense Lesion with Abdominal Lymphadenopathy with Metastases and she was under treatment in Dr. B.R. Ambedkar Institute Rotary Cancer Hospital a unit of All India Institute of Medical Sciences, New Delhi. It is further submitted that the deceased died and she was cremated on 12.02.2015. The informant was duly informed, but thereafter the informant filed a case making false and frivolous allegation.

Learned counsel for the informant submits that the deceased, herself, was complaining about ill-treatment at the hands of the petitioners, but from perusal of the prescriptions of treatment of the deceased it appears that the deceased was suffering from liver cancer and she died after three years of her marriage.

Considering the facts aforesaid, 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, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Muzaffarpur in Deoriya P.S. Case No. 22 of 2015, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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