

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49304 of 2015

Arising Out of PS.Case No. -39 Year- 2015 Thana -CHAKAMHESI District- SAMASTIPUR

- =====
1. Banke Tiwari; s/o Late Lala Tiwari
 2. Meena Devi; W/o Banke Tiwari
 3. Rani Devi; W/o Deepak Pandey; D/o Banke Tiwari
 4. Ranjan Tiwari; S/o Banke Tiwari
 5. Deepak Tiwari @ Deepak Pandey, S/o Nandan Pandey; Son in law of Banke Tiwari;
- All Resident of Village Bhagipatti; P.S- Chakmehsi; District Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Mr. Atul Chandra(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 29-01-2016 Heard learned counsel for the petitioners and the learned counsel appearing on behalf of the State.

The petitioners, being the family members of the husband of the deceased, are apprehending their arrest in connection with Chakmehsi P.S. Case No.39 of 2015 for allegedly having committed the offences under Sections 302, 201 and 120B/34 of the Indian Penal Code.

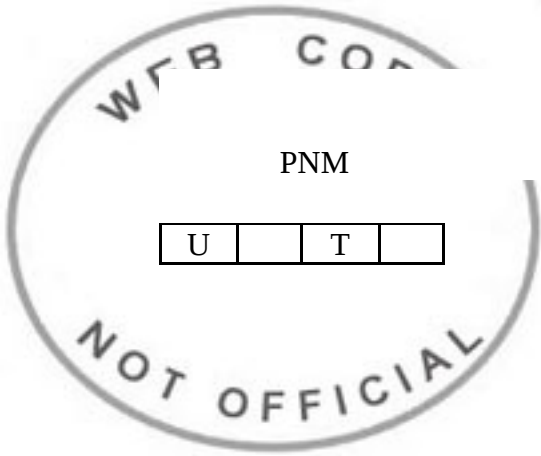
Learned counsel for the petitioners submits that the occurrence took place ten years after marriage. The allegation is that the deceased was killed on account of non-payment of dowry, which is also frivolous and afterthought as demand of

payment of ₹10,000/- is merely ornamental and improbable. It is further submitted that there is petty dispute between the husband of the deceased and herself and out of sheer anguish, she jumped into the well. It is further submitted that the body was cremated in the presence of her own relative, including her mother. Thereafter a *Panchayati* was also held. It was on account of failure on agreed terms of the compromise, which was arrived at the *Panchayati*, that the present case was filed against the petitioners.

Learned counsel appearing on behalf of the State submits that such story finds place in the evidence of co-villagers in the case diary itself.

Considering the entire gamut of circumstances and the materials which have come before this Court from the case diary, let all 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 released on bail on furnishing bail bonds of ₹10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Samastipur, in connection with Chakmehsi P.S. Case No.39 of 2015, subject to the conditions as laid down

under Section 438(2) of the Code of Criminal Procedure.



(Anjana Mishra, J)