

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.50519 of 2016**

Arising Out of PS.Case No. -208 Year- 2012 Thana -JOKIHAT District- ARRARIA

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1. Jagat Lal Bishwas, Son of Late Bagdhu Biswas.
2. Jayanti Devi, W/o Jagat Lal Biswas.
3. Bhuvan Kumar Biswas, S/o Jagat Lal Biswas. All residents of village - Bajitpur, P.S. Jokihat, District Araria.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

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

For the Opposite Party : Mr. Rana Randhir Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      28-11-2016                      Heard learned counsel for the petitioners and learned  
counsel for the State.

The petitioners are apprehending their arrest in connection with Jokihat (Mahalgaon) P.S. Case No. 208 of 2012 for the offences instituted under Sections 304(B)/34 of the IPC.

The prosecution story, in brief, is that all the accused persons were torturing and assaulting the daughter of the informant for want of dowry in shape of a motorcycle and a milking cow and accused persons assaulted the daughter of the informant on her abdominal portion while she was pregnant for seven months. As a result, bleeding was started and she started crying with pain, then she was brought to the hospital where



during course of treatment, she died.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. They have falsely been implicated in the present case. The petitioner no. 1 is the father-in-law of the deceased, petitioner no. 2 is the mother-in-law of the deceased and petitioner no. 3 is the brother-in-law (Dewar) of the deceased. The police after investigation has submitted final form against the petitioners. The court below has differed with the said final form and has taken cognizance against the petitioners. The petitioners are separate in mess and property from the husband of the deceased. The death has taken place while the deceased was giving birth to her child in the clinic of the doctor which is evident from Annexure-2 to the present application.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Jokihat (Mahalgaon) P.S. Case No. 208 of 2012 on furnishing bail bond of Rs. 10,000/-



(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Araria, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure

U.K./-

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**(Sudhir Singh, J)**

