

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40063 of 2016

Arising Out of PS.Case No. -136 Year- 2016 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Sunil Ram , s/o Sri Janak Ram
 2. Savita Devi w/o Sunil Ram
 3. Tara Devi w/o Sri Janak Ram

All resident of village Jhakhara, Harijan Toli, P.S. Nautan (Jagdishpur),
District West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sri Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

9 23-12-2016 Heard Sri Sanjeev Kumar, learned counsel for the

petitioners and Sri Vinod Shankar Modi, learned Additional

Public Prosecutor .

Three petitioners , who are in- laws of the deceased
have approached this court with a prayer to grant anticipatory bail
in Nautan (Jagdishpur) P.S. Case No. 136 of 2016 registered for
the offence under Section 498A, 307 and 34 of the Indian Penal
Code . Initially the case was registered for offences under
Sections 498A, 307 and 34 of the Indian Penal Code , however
subsequently, the victim died and it is now a case under Section
304B of the Indian Penal Code besides other Sections of the
Indian Penal Code.



Learned counsel for the petitioners tried to persuade the Court that on the basis of statement of the victim fardbyan of the victim was recorded in a private hospital in Patna and in that she had disclosed that accidentally she had received burn injury however, in this case earlier case diary was called for . It appears that the accused persons have taken contradictory stand even at one stage one of the accused has stated that she committed suicide by pouring kerosene oil . If this statement is examined vis –a- vis the so -called fardbyan of the deceased certainly there is apparent contradiction . In view of the fact that it is a case of dowry death and there is some material, there is no reason to extend the privilege of anticipatory bail.

The petition stands dismissed.

(Rakesh Kumar, J)

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