

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

**Criminal Miscellaneous No.6336 of 2016**

Arising Out of PS.Case No. -72 Year- 2015 Thana -NAWADA District- NAWADA

=====

1. Musafir Chauhan, S/o Late Prakash Chauhan  
2. Rajiya Devi, W/O Musafir Chauhan  
Both R/O Villages- Mangura, P.S.- Nawada, District- Nawada...  
.....Petitioners

Versus

1. The State of Bihar ..... Opposite Party

=====

**Appearance :**

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Opposite Party/s : Mr. Binod Kumar-Ii(App)

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**

**ORAL ORDER**

3      06-04-2016                      Heard learned counsel for the petitioners and learned  
counsel representing the State.

The petitioners seek bail in connection with Nawada  
Town (Kadirganj) P.S. Case No. 72 of 2015 registered for the  
offences punishable under Sections 304B, 201/34 of the Indian  
Penal Code and Sections 3 / 4 of Dowry Prohibition Act.

Sunita Devi, the daughter of the informant/complainant,  
was married to Shankar Chauhan, the son of the petitioners, in the  
year 2012 and allegedly, due to non-fulfillment of demand of  
dowry by way of Rs. 1,00,000/- she was being tortured, however,  
she gave birth to a female child and ultimately, she was killed by  
the petitioners and co-accused and the Police got signature and  
thumb impression on plain paper and did not register the case,  
resulting, the complaint case was filed.



Submission is of false implication and that there was cordial relation between the husband and the deceased, the petitioners being old father-in-law and mother-in-law got no concern with the family affairs of the daughter of the complainant/informant and her husband, the daughter of the informant died due to severe cold attack and she was being brought for treatment but she died, her dead body was cremated in presence of the informant and to this effect the informant and others have submitted joint petition which was verified by the Police vide annexure-2, during investigation also witnesses Kanahai Chauhan and Anil Chauhan have stated that Sunita Devi died due to illness vide paragraph 16 and 29 of the case diary and as such the petitioners deserve sympathetic consideration.

Learned APP fairly submits that this case has been lodged on the basis of complaint petition.

In the facts and circumstances stated above, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada in connection with Nawada Town (Kadirganj) P.S. Case No. 72 of 2015, subject to the conditions that one of the bailors must be a near relative and

another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

**(Jitendra Mohan Sharma, J)**

avin/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|