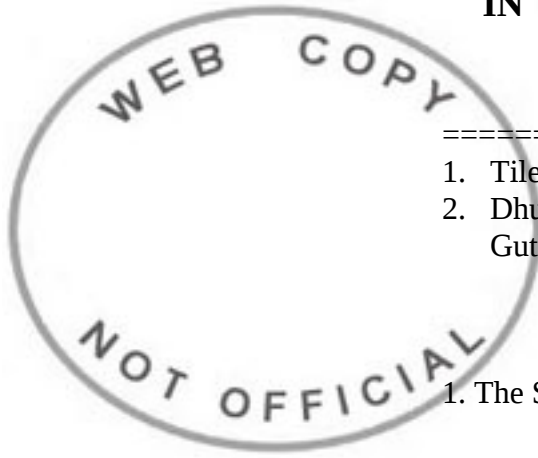




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40824 of 2016

Arising Out of PS.Case No. -104 Year- 2015 Thana -GUTHNI District- SIWAN

- =====
1. Tileshwari Devi Wife of Dhurup Ram
 2. Dhurup Ram Son of Late Inner Ram, Both are residents of Village- Guthani, Police Station- Guthani, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary
For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 21-10-2016 The petitioners being parents of the husband of the informant are languishing in custody since 13.07.2016 in a case registered for the offences punishable under Sections 341, 323, 498A, 504, 306, 34 of the Indian Penal Code.

The prosecution case, as per the fardbeyan of informant Kavita Devi, is to the effect that she was married with Rajesh Ram, son of the petitioners eight years prior to the occurrence. Four children were born out of the wedlock, but after marriage further demand of dowry was made. The husband used to assault and gave threats of performing second marriage and when the informant used to make complain to her parents-in-law and sisters-in-law, they also used to assault the informant. On 30.04.2015 she had hot exchange with her



husband on telephone when her husband abused her and threatened to kill. The informant conveyed about the threats being given by her husband to the mother-in-law, brother-in-law and sisters-in-law but they fought and abused her, as a result she poured kerosene oil on her body and lit fire. On alarm being raised the people from the neighborhood came and brought her to primary health centre, Guthani and informed to the mother and brother of the informant when they came and brought her to Sadar Hospital, Siwan.

It is submitted by learned counsel for the petitioners that thrust of accusation is against the husband of the informant. The petitioner No. 2 Dhurup Ram was not named in the First Information Report whose name subsequently sprang up during investigation. It is further submitted that even assuming the accusation, at best the case under Section 306 I.P.C is made out.

Learned A.P.P after going through the case diary submits that due to the torture inflicted by the petitioners and protection being not provided by the petitioners the informant put herself on fire.

Considering the thrust of accusation against the husband of the informant and the fact that investigation has already concluded, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the

satisfaction of learned Judicial Magistrate, 1st Class, Siwan in
connection with Guthani P.S. Case No. 104 of 2015.

(Dinesh Kumar Singh, J)

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