

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28972 of 2016

Arising Out of PS.Case No. -52 Year- 2016 Thana -KALYANPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Jhingur Ram S/o Late Sakalu Ram. (Father in Law)
 2. Maina Devi @ Anar Devi @ Naina Devi, W/o Jhingur Ram (Mother in Law)
 3. Vinod Ram S/o Jhingur Ram (Elder Brother in Law)
 4. Hemanti Devi W/o Vinod Ram (Sister in Law, Gotni)
 5. Manorama Devi, W/o Suresh Ram. (Sister in Law, Gotni) all resident of Vill.- Ashok Siswan, P.S- Kalyanpur, Dist.- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rajendra Ram s/o Late Bigu Ram resident of Vill.- Koirgawan, P.S- Chakia, Dist.-East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar, Adv.
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

- 3 28-09-2016 Heard learned counsels for the petitioners and the State.
- The petitioners being the parents, brother and brothers' wife of the husband of the daughter of the informant are apprehending arrest in a case registered for the offences punishable under Sections 498A, 304B, 201 and 120B of the Indian Penal Code.
- The prosecution case is of killing the daughter of the informant after assaulting her for non-fulfillment of the dowry demand of motorcycle and ₹50,000/- and subsequently the dead

body was dispose of.

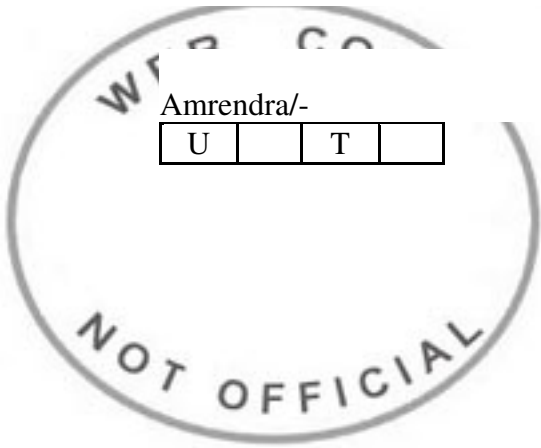
It is submitted by the learned counsel for the petitioners that admittedly the marriage was performed in the year 2009 and the victim died in February, 2016, hence after about seven years of marriage, the victim died but maliciously the case has been registered under Sections 304B of the IPC. The victim was suffering from diarrhoea and vomiting but while taking to the hospital, the victim died and the informant was informed about the death. The accusation is omnibus and general against the entire in-laws family including the petitioners.

Mr. J.N. Thakur, learned counsel for the State, after going through the case diary, submits that date of marriage is not mentioned in the FIR and the victim died in February, 2016, hence it appears that within seven years of the marriage, the victim died. During investigation, witnesses have suggested that the accused persons assaulted the victim and died due to assault and dead body was disposed of.

Considering the nature of accusation, this Court is not inclined to grant anticipatory bail to the petitioners.

Accordingly, the prayer for anticipatory bail of the petitioners is rejected in connection with Kalyanpur P.S. Case No. 52 of 2016 pending in the court of learned ACJM-IX,

Motihari, East Champaran.



(Dinesh Kumar Singh, J)