

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19383 of 2016

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

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1. Rajesh Ram (Husband) s/o Dhuru Ram.
 2. Teleshwani Devi (Mother in law) W/o Dhuru Ram.
 3. Dhuru Ram. @ Dhrup Ram (Father in Law) s/o Late Inar Ram, all are r/o village Guthani , PS Guthani, District Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Kant, Adv.

For the Opposite Party/s : Mr. Uma Nath Mishra (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 30-06-2016 Heard learned counsels for the petitioner and the State.

The petitioner no.1 is the husband of the informant/victim and petitioner nos. 2 and 3 being the parents of petitioner no.1 are apprehending arrest in a case registered for the offences punishable under Sections 341, 232, 498A, 504 and 306/34 of the Indian Penal Code.

The prosecution case is that the informant was married with petitioner no.1 eight years prior to the occurrence but after the marriage, torture was inflicted, though, four children were born out of wedlock. After the birth of four children, the husband used to threaten that he is going to



perform second marriage. The husband including the in-laws family used to assault the informant. On 30.04.2015, the husband fought with the informant on telephone and threatened to perform second marriage, thereafter, the informant conveyed all these things to her mother-in-law, brother-in-law and sister-in-law when they started abusing as a result the informant poured kerosene oil and lit fire.

It is submitted by learned counsel for the petitioners that as per the FIR, admittedly petitioner no.1 being the husband of the informant/victim was not present at the place of occurrence and the victim was taken to the Primary Health Centre, Guthni and from there Sadar Hospital, Siwan where she succumbed to the injuries. There is nothing on record to suggest that the petitioner no.1 ever threatened or fought with the informant on phone. The independent witnesses have suggested that the petitioners were not in the house when the occurrence took place. They were in the agricultural field and the victim was alone in the house.

Considering the fact that the informant/victim specifically alleged that due to torture inflicted by the husband and other in-laws people she attempted to commit suicide, this Court is not inclined to grant bail to the petitioners.

Accordingly, prayer for anticipatory bail of the petitioners is rejected in connection with Guthani P.S. Case No. 104 of 2015 pending in the court of learned JM, Siwan.

(Dinesh Kumar Singh, J)

Amrendra/-

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