

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35390 of 2016

Arising Out of PS.Case No. -266 Year- 2016 Thana -BEGUSARAI TOWN District- BEGUSARAI

1. Rajnish Kumar
2. Rajesh Kumar @ Abhay Kumar Both Sons of late Vishnu Deo Singh
Resident of Village- Sarvoday Nagar, Ward No. 04, P.S Town, District
Begusarai.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Nilesh Kumar, Advocate

For the Opposite Party/s : Mr. Bisheshwar Ram

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

5 22-10-2016 Supplementary affidavit is filed on behalf of the
petitioners.

Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State assisted by
learned counsel for the informant.

Petitioners seek bail in a case registered under
Sections 304(B), 201, 120B/34 of the Indian Penal Code.

The marriage of the deceased was solemnized on
11.5.2014 with petitioner no.2 but allegedly, she was done to
death by her in-laws including her husband due to non-fulfillment
of dowry within two years of the marriage.

Submission on behalf of the petitioners is that the
deceased was suffering from heart ailment before her marriage

and, as a matter of fact, when the aforesaid fact was detected to the family members of the petitioners after the marriage the deceased was got treated at several places but ultimately, she died at Safdarganj Hospital, Delhi in course of her treatment. Learned counsel for the petitioners filed several documents including the prescriptions, cremation certificate as well as death certificate of the deceased issued by the competent authority.

Petitioner no.1 is elder brother-in-law whereas petitioner no.2 is husband of the deceased.

Learned counsel appearing for the informant opposed the prayer submitting that there is nothing on the record to show that after death of the deceased, her dead body was handed over to the petitioners and, therefore, aforesaid fact creates suspicion regarding the documents produced by the petitioners before this Court.

Considering the aforesaid facts and circumstances as well as submissions of the parties, 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 C.J.M., Begusarai in connection with Begusarai Town P.S. Case No.266 of 2016.

(Hemant Kumar Srivastava, J)

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