

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6262 of 2016

Arising Out of PS.Case No. -256 Year- 2015 Thana -MEERGANJ District- GOPALGANJ

- =====
1. Bhola Kushwaha, Son of Late Shiv Avtar Kushwaha
 2. Saraswati Devi, W/o Narayan Kushwaha
 3. Vishal Kumar, Son of Narayan Kushwaha All residents of Village Parania, P.S. Mairwa, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Tiwari

For the Opposite Party/s : Mr. Durgesh Nandan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 08-04-2016

The petitioners being grand-father, mother and brother of the husband of the victim are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 498A, 406, 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The prosecution case is that the daughter of the informant was married with co-accused Munna Singh on 09.05.2015 but subsequently the accused persons started demanding Bolero vehicle as dowry and for non-fulfilment of the same the torture was inflicted. The accused persons dropped the daughter of the informant at his door in an unconscious condition when the victim was hospitalized but subsequently the victim died.

It is submitted by learned counsel for the

petitioner that accusation is omnibus and general against the entire in-laws family including the petitioner. The victim was suffering from several ailments and she died in Aryan Hospital at Gorakhpur. The death certificate has been brought on record to suggest that no injury was found on the body of the victim. The death certificate suggests that victim was suffering from Ulcerative Colitis with Hypoglycemia and she died due to Cardiac Pulmonary Arrest. Moreover the thrust of accusation is against the husband of the victim.

Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory 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 Chief Judicial Magistrate, Gopalganj in connection with Mirganj P.S. Case No. 256 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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