

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44795 of 2017

Arising Out of PS.Case No. -226 Year- 2017 Thana -GARKHA District- SARAN

- =====
1. Bhuwar Prasad son of Late Pukar Prasad.
 2. Mina Devi wife of Sri Kanhaiya Prasad. Both Resident of Village- Narayanpur, P.S. Garkha, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 07-12-2017

Heard the counsel for the parties.

The petitioners seek bail in connection with Garkha P.S. Case No. 226 of 2017 dated 21.05.2017 instituted for the offences under Sections 304B, 201/34 of the Indian Penal Code.

The petitioner No. 1 is cousin father-in-law, whereas petitioner No. 2 is mother-in-law of the deceased.

It has been alleged that the deceased was married to one Jitendra Prasad, who was working in Saudi Arabia. Later, much after the marriage of the deceased with aforesaid Jitendra Prasad, the informant learnt that his daughter has been killed by burning her. He has, therefore, suspected the hands of the petitioners in killing the deceased.



Learned counsel for the petitioners has submitted that the allegations made in the F.I.R are on the basis of hearsay information and the source of information has not been disclosed by the informant. He has submitted that the relationship between the spouses was cordial and this fact gets reflected by the extended family of the deceased. She had given birth to two children out of the wedlock.

During the course of investigation, it came to light that the deceased had taken rupees one lakh from her husband to be spent in the marriage of her sister and when the money was demanded back by her husband, the deceased became upset and had been fighting with her husband for the last several days. Later, it was learnt by the neighbours in the village that the deceased died because of burning.

No specific allegation has been levelled against the petitioner No. 1, who is cousin father-in-law of the deceased and about whom, the witnesses have stated that he resided separately and not in the same house as that of the deceased. So far as petitioner No. 2, who is mother-in-law of the deceased, is concerned, but for the vague and unfounded suspicion that she might have killed the deceased, no other material has been collected for justifying her having in custody.



The petitioners are in custody since 18.06.2017 and 19.06.2017 respectively.

For the facts stated above, this Court is inclined to grant bail to the petitioners.

The petitioners, above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) each with sureties of the like amount each to the satisfaction of learned 5th Additional Chief Judicial Magistrate, Saran at Chapra in connection with Garkha P.S. Case No. 226 of 2017.

(Ashutosh Kumar, J)

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