

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2878 of 2017

Arising Out of PS.Case No. -187 Year- 2016 Thana -SARAI RANJAN District- SAMASTIPUR

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1. Ram Shankar Singh, Son of Bangali Singh,
2. Ram Nath Singh, Son of Bangli Singh,
3. Ashwamegh Devi, wife of Bangali Singh,
4. Bangali Singh, son of Late Harkhit Singh,
All are resident of Village- Ahmadpur, Police Station- Sarai Ranjan,
District- Samastipur. Petitioners

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mazharul Hassan

For the Opposite Party/s : Mr. Sri Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 10-02-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners apprehend their arrest in connection with
Sarai Ranjan P.S. Case No. 187 of 2016 registered for the offences
punishable under Sections 304B, 201/34 of the Indian Penal
Code.

Kajal Kumari, the daughter of the informant, was
married to Ramashankar Singh, petitioner no. 1 about six years
ago but due to non-fulfillment of demand of dowry by way of
Hero Honda Motorcycle she was being assaulted and tortured and
on 11.08.2016 when the husband of the informant went there to
meet his daughter she was not present in the house and nearby
persons told him that on 17.05.2016 itself the petitioners have



killed her due to non-fulfillment of demand of motorcycle and made the dead body traceless. Out of the wedlock there is a son aged 4 years and a daughter aged one and half years.

Submission is of false implication and that the petitioner no. 2 is dewar, petitioner no. 3 is mother-in-law and petitioner no. 4 is father-in-law and they are living separately since long from the husband of the deceased. The petitioner no. 1 is the husband of the deceased, there is no specific allegation against anyone and allegations are general and omnibus in nature and as such the petitioners deserve sympathetic consideration. It is further submitted that the alleged occurrence is of 17.05.2016 whereas the FIR was lodged on 16.08.2016 after much delay.

Learned APP seriously opposes the prayer of pre-arrest bail.

In the facts and circumstances stated above, considering that petitioner no.1 is the husband of the deceased and he is responsible for safety of the life of his wife and as alleged his wife died in his house and the dead body was also cremated, I am not inclined to grant privilege of pre-arrest bail to the petitioner no. 1, accordingly, his such prayer stands rejected.

So far as other petitioners are concerned, considering that they are dewar, mother-in-law and father-in-law having no



specific allegation, petitioners no. 2, 3, and 4, in case of their surrender or arrest within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Shri Sankush Chandra, Judicial Magistrate Ist Class, Samastipur in connection with Sarai Ranjan P.S. Case No. 187 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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