

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55587 of 2016

Arising Out of PS.Case No. -267 Year- 2015 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Brij Kishore Chaurasiya, Son of Late Mahadeo Bhagat, resident of
Village- Pansalwa, P.S.- Chiraiya, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

5 03-03-2017

Heard both sides.

The petitioner seeks bail in Chiraiya P.S. case No.
267 of 2015 under Section 304B/34, 201 of the Indian Penal Code.

The informant alleged that his sister, Meera Devi,
was married to Harimohan Chaurasiya on 19.02.2009 but her
husband and other in-laws were torturing her for non fulfillment of
additional demand of dowry as motor cycle and she-buffalo. On
19.12.2015, Jagarnath Bhagat informed the informant on
telephone that in-laws and husband of his sister had brutally
assaulted her and killed her. They caused disappearance of the
dead body to screen out the offence.

The learned counsel for the petitioner submits that
petitioner is elder brother of the husband of the deceased. The
marriage was solemnized in the year 2009. The informant did not
make any specific allegation of assault due to demand of dowry
against the petitioner. The petitioner has been made accused only



because he happens to be brother of the husband of the deceased although the petitioner has got no manner of concern with the family affairs of the deceased or her husband. Ram Kali Devi, mother-in-law of the deceased, and Sandhya Devi, sister-in-law of the deceased, have already been granted anticipatory bail.

The learned counsel for the informant as well as the learned Additional Public Prosecutor opposed the prayer for bail.

There appears that the informant did not make any specific allegation against the petitioner. The petitioner is elder brother of husband of deceased. The marriage was solemnized six years ago and no specific allegation is made against the petitioner nor any complaint was ever made after the marriage or before the death of deceased against the petitioner.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Sikrahana at Dhaka, East Champaran, Motihari in Chiraiya P.S. Case No. 267 of 2015.

(Prabhat Kumar Jha, J)

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