

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17421 of 2017

Arising Out of PS.Case No. -394 Year- 2016 Thana -GANDHIMAIDAN District- PATNA

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1. Shankar Saran, Son of Late Rama Saran,
2. Usha Saran, Wife of Shankar Saran, Both are resident of House No.
B/135, Harivansh Smriti, Anishabad, P.S.-Fulwarisharif, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Adv.

For the Opposite Party/s : Mr. Ramesh Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 28-04-2017 Heard both sides.

The petitioners apprehend their arrest in Gandhi Maidan P.S. Case No. 394/2016, registered for the offences punishable under Sections 306, 304-B and 34 of the Indian Penal Code.

The informant mother of the deceased alleged that on 23.08.2016 her daughter committed suicide in her house 403 R.K Plaza, Lalji Tola, Gandhi Maidan, Patna, but later on, she checked her mail and found that her husband Sumit Saurbh, her father-in-law Shankar Saran, mother-in-law Usha Saran the petitioners and maternal sister-in-law Rashmi Verma used to torture her and that is why she was driven to commit suicide.



Learned counsel for the petitioners submits that the daughter of the informant committed suicide on 23.08.2016, but the F.I.R. was lodged on 08.10.2016. Prior to institution of the present case, Laxmi Narayan Mishra the father of the deceased made statement on the basis of which U.D. Case 11/2016 was registered on 23.08.2016. The father of the deceased did not make any sorts of allegation against the petitioners. The mother of the deceased thereafter filed informatory petition on 23.09.2016. The dispute arose due to custody of the child of the deceased and that is why the informant filed this case making false allegation. It is further submitted that the deceased was living with her husband in Delhi. The deceased did not complain about any ill-treatment at the hands of the petitioners. The deceased herself went to her Naihar a week before the date of committing suicide and thereafter she committed suicide on 23.08.2016.

Learned counsel for the State has opposed the prayer of anticipatory bail of the petitioners.

It appears that the daughter of the informant committed suicide on 23.08.2016 and on the same day father of the deceased lodged Gandhi Maidan U.D. Case No. 11/2016, but did not make any sorts of allegation against the petitioners. Even the informant did not make any allegation against the petitioners,



but some dispute arose due to custody of child and that is why mother of the deceased filed informatory petition on 23.09.2016 and thereafter, the present case was lodged on 08.10.2016.

Considering the facts aforesaid and the fact that petitioners are father-in-law and mother-in-law of the deceased, they are, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 Chief Judicial Magistrate, Patna in connection with Gandhi Maidan P.S. Case No. 394/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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