

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25928 of 2017

Arising Out of PS.Case No. -14 Year- 2017 Thana -ARIYARI District- SEKHPURA

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1. Nand Kishore Chauhan, Son of Late Lakhan Chauhan,
2. Gautam Chauhan, Son of Nand Kishore Chauhan, Both Residents of
Village- Masaurha, (Dhanu Tola), P.S.- Ariari, District- Sheikhpura.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Devendra Prasad Singh, Advocate.

For the Opposite Party : Dr. Indihar Kumari, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-07-2017 Heard both sides.

The petitioners apprehend their arrest in Ariari P.S.
Case No. 14 of 2017 registered for the offences punishable under
Sections 304(B) and 34 of the Indian Penal Code.

The father of the deceased Sima Devi alleged that he
married his daughter four years ago with Santosh Chauhan, son of
petitioner no. 1 and brother of petitioner no. 2. The informant
further alleged that the accused persons were torturing his
daughter due to additional demand of dowry. The informant got
information that his daughter was brutally assaulted. The
informant brought his daughter to hospital and during course of
treatment his daughter died.

Learned counsel for the petitioners submits that the



petitioners are father-in-law and brother-in-law of the deceased and no specific allegation is made against the petitioners. The deceased was of short tempered and she, herself, committed suicide. The information was given to the informant. The deceased neither made any complaint nor the informant complaint any ill-treatment at the hands of the petitioners. The police after investigation submitted final form finding the accusation false against the petitioners.

Learned counsel for the informant as well as learned APP vehemently opposed the prayer for anticipatory bail of the petitioners and submitted that definite case of the informant is that his daughter was poisoned to death and in the post-mortem report toxic substance was found. The petitioners are father-in-law and brother-in-law of the deceased.

Taking into consideration the facts that the petitioners are father-in-law and brother-in-law of the deceased and the informant did not make any specific allegation and the police after investigation found the accusation false against the petitioners, the petitioners above named 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 Learned Sub-Divisional Judicial Magistrate, Sheikhpura in Ariari P.S. Case No. 14 of 2017, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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