

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39567 of 2017

Arising Out of PS.Case No. -66 Year- 2017 Thana -BOCHHA District- MUZAFFARPUR

- =====
1. Makhan Bhagat @ Makhan Chaurasiya, Son of Late Dewan Bhagat.
 2. Radha Devi, W/o Makhan Bhagat @ Makhan Chaurasiya.
- Both R/o Village- Sanathi, P.S.- Bochahan , District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 12-12-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Bochahan P.S. Case No.66 of 2017 registered under Sections
304(B) and 120(B) of the Indian Penal Code.

The accusation is that the marriage of the deceased, the
sister of the informant, was performed with Shyam Bhagat
Chaurasiya, son of Makhan Bhagat (petitioner no.1). After
marriage, demand of cash Rs.10,000/- was made in the dowry but
the informant could not fulfill the same due to his inability. On
23.04.2017, when the informant rushed at the matrimonial house
of his sister then he did not find his sister at the house. Thereafter,



the informant was informed by the villagers that his sister had been assaulted by her husband and in-laws and she was rushed for treatment to the hospital. On reaching at the hospital, the informant found his sister lying dead.

Learned counsel for the petitioners submits that, in fact, the husband of the deceased, the sister of the informant, resided one year at his sasural where he developed physical relation with his sister-in-law, due to that reason, the deceased, the sister of the informant, became mentally ill and started putting pressure upon her husband to keep her sister also. As the husband of the deceased, the sister of the informant, was not ready for the same, she committed suicide. On knowing about the condition of the deceased, the sister of the informant, she was rushed for treatment to the hospital where she was treated for five days but died. Due to ulterior motive, the informant has lodged this false case implicating the petitioners, who are father-in-law and mother-in-law of the deceased, the sister of the informant, respectively and their whole family members

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten



Thousand) each with two sureties of the like amount each to the satisfaction of Sri Anand Kumar Srivastava, Additional Chief Judicial Magistrate, Muzaffarpur, in connection with Bochahan P.S. Case No.66 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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