

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52471 of 2016

Arising Out of PS.Case No. -42 Year- 2016 Thana -ALINAGAR District- DARBHANGA

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1. Ram Prasad Chaupal, S/o. Late Panchakauri Chaupal,
2. Satish Kumar @ Satish Chaupal, S/o. Ram Prasad Chaupal,
3. Nitish Chaupal @ Nitish Kumar, S/o. Ram Prasad Chaupal,
4. Manjit Chaupal, S/o. Ram Prasad Chaupal,
5. Fulti Devi, W/o. Ram Prasad Chaupal,

All are residents of village-Goswa, P.S. Alinagar, District- Darbhanga.
.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shalini Raut, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 28-01-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 304B/302/201/120B/34 of the Indian Penal Code.

Petitioners are parents and brothers of the husband of the deceased Gauri Devi. Gauri Devi died in her matrimonial house within three years of her marriage. There is allegation of demand of dowry and torture for the same soon before her death. The death was allegedly caused by throttling. The informant had filed affidavit that under some misconception she lodged the case. In fact, the written report was not in her pen and she simply put her



signature on the plain paper.

The aforesaid may be result of tempering of evidence because the post mortem report reveals that the head and upper neck were missing and not available for examination and the remaining parts were half burnt.

Considering the nature and seriousness of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners in connection with Ali Nagar Police Station Case No. 42 of 2016, pending in the Court of learned Additional Chief Judicial Magistrate, Benipur, Darbhanga/Successor Court.

Accordingly, the prayer for anticipatory bail is rejected.

Mkr./-

(Birendra Kumar, J)

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