

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 36352 of 2016

Arising out of P.S. Case No. - 40 Year - 2014 Thana - KAHAIYA District - MUZAFFARPUR

- =====
1. Govindra Singh @ Govind Singh, Son of Late Ramdas Singh
 2. Pratima Devi, Wife of Govindra Singh
 3. Pooja Kumari, Daughter of Govindra Singh, All residents of Village -
Thatiya, P.S. Kathaiya, District - Muzaffarpur

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Nachiketa Jha, Advocate

For the Opposite Party : Smt. Gulnar Begam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 02-02-2017 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 and 120B/34 of the Indian Penal Code.

Dolly Kumari died in her matrimonial house an unnatural death within a year of her marriage and there is allegation that she was being tortured by the husband and other in-laws including the petitioners for non-fulfillment of dowry demand. The petitioners Govindra Singh @ Govind Singh and Pratima Devi are parents of the husband and petitioner Pooja Kumari unmarried sister of the husband of the victim. The Doctor has found cause of death as strangulation which was ante mortem. The police did not sent up the accused persons of the case for trial. However, on protest petition the court below is



proceeding on.

Submission of the petitioners is that during investigation, it has come in the evidence of witnesses examined by the police that the petitioner no. 1 was not residing in the house where the victim committed suicide and other petitioners were in support of the victim.

Considering the facts and circumstances of this case, I am not inclined to enlarge the petitioner no. 1 Govindra Singh @ Govind Singh and petitioner no. 2 Pratima Devi on anticipatory bail. Hence, their prayer for bail is refused.

Taking into special consideration that petitioner no. 3 Pooja Kumari is an unmarried girl, let the petitioner no. 3 Pooja Kumari, in the event of her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Muzaffarpur/Successor Court in connection with Trial No. 6116 of 2015 arising out of Kathaiya Police Station Case No. 40 of 14, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Birendra Kumar, J)

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