

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17555 of 2017

Arising Out of PS.Case No. -332 Year- 2016 Thana -SONEPUR District- SARAN

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1. Ram Nath Rai, Son of Late Nagina Rai
2. Shila Devi, Wife of Ram Nath Rai
3. Chandradeep Rai, Son of Ram Nath Rai
4. Pinki Devi, Wife of Chandradeo Rai
All Residents of Village- Sabalpur, Hastitola, P.S.-Sonepur, District-
Saran. Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amit Anand, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

ORAL ORDER

4 01-07-2017

Heard.

The petitioners apprehend their arrest in a case registered for the offence under Sections 304(B)/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The petitioner no.1 is father-in-law, petitioner no.2 is the mother-in-law, and petitioner no. 3 is brother-in-law (Bhaisur) and petitioner no.4 is Gotani of the deceased Kanchan Kumari, aged about 22 years.

The prosecution case in short is that the accused persons tortured and killed the victim by throttling.

Learned counsel submits that the victim had died on account of snake bite. He further submits that the petitioners had brought the victim at Hajipur Hospital for treatment and thereafter



she was referred to P.M.C.H. He submits that there was no sign of throttling in the post-mortem report and blue colour had appeared around the nail of the deceased, which is evident of the fact that the deceased had died on account of snake bite.

I find that there is allegation in the F.I.R. that the accused persons throttled the deceased to death. The inquest report supports the allegation.

In the circumstances, I am not inclined to grant anticipatory bail to petitioner no.1, namely, Ram Nath Rai. Accordingly, his prayer for anticipatory bail is rejected.

However, taking into consideration the role played by the other accused-petitioners, i.e. petitioner nos. 2, 3 and 4, namely, Shila Devi, Chandradeep Rai and Pinki Devi, in the event of arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bond of Rs.5000/- (Five thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Saran at Chapra in connection with Sonapur P.S. Case no. 332 of 2016 subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Samarendra Pratap Singh, J.)

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