

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62105 of 2017

Arising Out of PS. Case No.-98 Year-2017 Thana- MUNGER MUFFASIL District- Munger

1. Sonu Kumar, S/o Jamun Sah,
2. Meena Devi W/o Jamun Sah,
Both R/o Village- May Dariyapur, Terasi, P.S.- Muffasil,
District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha, Adv.

For the Opposite Party/s : SRI SHAILENDRA KUMAR -2, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 22-12-2017 Heard learned Counsels for the petitioners and learned
APP for the State.

The petitioners being brother and mother of the husband of the victim are apprehending arrest in a case registered for the offences punishable under Sections 328,304B and 34 of the Indian Penal Code.

The prosecution case is that the daughter of the informant was married with co-accused, Jitendra Sah in 2013. Subsequently, for further demand of dowry, torture was inflicted



upon her. On 01.05.2017, the son-in-law of the informant conveyed to him that the victim is suffering from some illness, upon which the informant went to her matrimonial house and found the dead body of the victim.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against the husband of the victim. Petitioners claim to be separate from the husband of the victim and the impugned order reflects that no injury was found on the dead body of the victim and the viscera has been preserved. Moreover, after four years of marriage, the demand of dowry appears to be unreasonable and co-accused Santosh Kumar and Jamun Sah have been granted regular bail vide Criminal Miscellaneous No.55921 of 2017 and Criminal Miscellaneous No. 61006 of 2017 by a co-ordinate Bench of this Court.

Learned APP submits that the thrust of accusation is against these petitioners also.

Considering the thrust of accusation against the husband of the victim when the postmortem does not suggest any injury and the doctor failed to ascertain the cause of death, coupled with the fact that co-accused have been granted regular bail, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below



within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Munger, in connection with Muffasil P.S. Case No. 98 of 2017.

(Dinesh Kumar Singh, J)

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