

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40329 of 2016

Arising Out of PS.Case No. -164 Year- 2016 Thana -JAGDIHSPUR District- BHOJPUR

- =====
1. Guput Prasad @ Dilip Prasad, s/o late Dinesh Prasad
 2. Bindhachali Kuar, w/o late Dinesh Prasad, both are r/v- Kahthu, P.S.- Jagdishpur, District-Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 10-08-2017 Heard learned counsel for the petitioners as well as
learned Additional P.P.

Petitioner no. 1 is husband, whereas petitioner no. 2 is mother-in-law respectively of the deceased. They apprehend their arrest in Jagdishpur P.S. Case No. 164/2016, registered under Sections 302 and 34 of the Indian Penal Code. They have prayed for grant of pre-arrest bail.

The sister of the informant died in suspicious circumstances, while she was at the Sasural. The allegation is that she was done to death on account of non-fulfillment of demand of dowry.

Learned counsel for the petitioners submits that the marriage of petitioner no. 1 was solemnized with the deceased



several years before. The deceased died a natural death. The post-mortem report is not clear as to reason for the death of the deceased. Petitioner no. 2, being 65 years old lady, had no say in the affairs of the husband and wife.

Mr. Dayal, on the other hand, submits that the prosecution case is of unnatural death of the deceased, while she was living with her husband.

Considering the facts aforesaid, I am not persuaded to grant anticipatory bail to petitioner no. 1. Accordingly, the prayer for anticipatory bail of petitioner no. 1 is rejected.

Let Petitioner no. 2 in the event of her arrest or surrender before the court below within a period of five weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Jagdishpur P.S. Case No. 164/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Kishore Kumar Mandal, J.)

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