

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61605 of 2017

Arising Out of PS. Case No.-140 Year-2017 Thana- RAJAUN District- Banka

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1. Neeraj Das, S/o Jayhindra Das,
 2. Meena Devi W/o Jayhindra Das,
 3. Tulsi Devi @ Bhulsi Devi W/o Neeraj Das, All are R/o Village-Sakahara, P.S.- Rajoun, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. SRI SANJAY KUMAR TIWARY 1

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-12-2017 Heard learned counsel for the parties.

The petitioners being brother, mother and brother's wife of the husband of the victim are apprehending arrest in a case registered for the offences punishable under sections 304B and 328/34 of the IPC.

The prosecution case got initiated with the written report of the informant Pappu Das submitted before the Officer Incharge of Rajaun Police Station to the effect that the informant got his daughter Sujata married with Arun Das two years prior to the lodging of the case. After the marriage, husband of the informant's daughter and other in-laws started making further demand of Rupees Twenty Thousand . When the informant expressed inability to make payment then torture was inflicted on the informant's daughter. On 22.4.2017 at 5 P.M. the informant received information that the accused persons have killed his daughter after administering poison. Consequently, the informant



lodged the present case.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against the husband of the victim. There is nothing on record to suggest that any resisting injury was found on the dead body of the victim and that the viscera was preserved and was sent for chemical examination.

Learned APP, however, submits that the death has occurred within two years of marriage and there is demand of dowry, hence, it is a case under section 304B of the IPC.

Considering the thrust of accusation against the husband of the victim whereas there is nothing on record to suggest that the cause of death has not been ascertained, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks 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, Banka in connection with Rajoun P.S. Case No. 140 of 2017.

(Dinesh Kumar Singh, J)

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