

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61732 of 2017

Arising Out of PS. Case No.-173 Year-2017 Thana- KADWA District- Katihar

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1. Geeta Devi wife of Kamal Kishore Rai
 2. Kamal Kishore Rai son of Late Mahesh Lal Rai
 3. Abhinash Rai @ Domra Rai @ Domra, son of Kamal Kishore Rai,
All resident of Village- Baliharapur, P.S. Kadwa, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh kumar, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-12-2017 Heard learned Counsels for the petitioners and
learned APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 304B/34 of the Indian Penal Code.

Prosecution case got initiated on the written report of Paro Devi submitted to the Officer In-charge, Kadwa Police Station, to the effect that the informant got his daughter, Fulo married to Pinku Rai, 5 to 6 years prior to lodging of the case. Subsequent to the marriage, the daughter of the informant was tortured for non-fulfillment of dowry demand. On 26.06.2017, the husband of the victim gave information to the informant



with regard to the death of the victim, upon which the informant came to hospital and found the dead body of her daughter.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against the husband of the victim. Admittedly, the informant was informed about the death of her daughter by the husband of the victim and the informant found the dead body of her daughter in the hospital. The impugned order does not reflect about the medical opinion, but apparently it does not appear that any injury was found and the viscera has been preserved. There is nothing on record to suggest it to be a case of poisoning, nor resisting injury has been found on the dead body of the victim.

Learned APP appearing on behalf of the State submits that the accusation is omnibus and general against the entire in-laws family of the victim. The thrust of accusation is against these petitioners also.

Considering the aforesaid facts, 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 ACJM-IV, Katihar, in connection



with Kadwa P.S. Case No.173 of 2017, subject to the conditions
as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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