

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.61614 of 2018

Arising Out of PS. Case No.-196 Year-2018 Thana- CHAINPUR District- Bhabhua (Kaimur)

1. Pratibha Devi wife of Ram Pyare Singh Kushwaha
2. Kulwanti Devi wife of Jhillu Singh
3. Bindu Kumari D/o Jhillu Singh, all Resident of Village- Medh,
P.S. Chainpur, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-12-2018 Heard learned Counsels for the petitioners and learned APP
for the State.

The petitioners, being brother's wife, mother and unmarried sister of the husband of the daughter of the informant are apprehending arrest in a case registered for the offences punishable under Section 304B/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report dated 27.07.2018 submitted by Parasnath Singh to the Station House Officer, Chainpur Police Station to the effect that the informant's daughter Fulmati Devi was married with Binod Kumar in 2012. Though, she was kept with dignity and honour for three years, but thereafter further demand of a motorcycle and a gold chain was made by the petitioners and other in-laws family members. However, an attempt was made by the



informant to pacify the issue, but ultimately on 26.07.2018, the accused persons throttled the informant's daughter. Thereafter, on information being received by co-villagers, the informant reached to the in-laws house of his daughter and saw her dead body and took the dead body to the police station.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against the husband of the victim who is in custody. On conclusion of investigation, the husband of the victim and the father-in-law namely, Binod Kumar Singh and Jhillu Singh have been charge-sheeted under Section 306 of the I.P.C. It is further submitted that the father-in-law of the victim has been granted regular bail by a co-ordinate Bench of this Court vide order dated 07.08.2018 passed in Criminal Miscellaneous No. 70190 of 2018. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned counsel for the informant submits that the ligature mark has been found on the neck of the daughter of the informant and there is specific accusation in the FIR that all the accused persons killed the daughter of the informant.

Considering the fact that the accusation is omnibus and general against the entire in-laws family and prima facie, the thrust of accusation appears to be against the husband of the



daughter of the informant, who has been charge-sheeted under Section 306 of the I.P.C. and one of the co-accused has 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 ACJM-II, Kaimur at Bhabua, in connection with Chainpur P.S. Case No.196 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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