

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1546 of 2018

Arising Out of PS. Case No.-61 Year-2016 Thana- CHAND District- Bhabhua (Kaimur)

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1. MUNIB PRAJAPATI @ MUNIB PRAJPATI, Son of Ramayan Prajapati
 2. Ramayan Prajapati, Son of late Dahaku Kohar
 3. Mira Devi, Wife of Udit Narayan Prajapati
- All are Residents of Village Chand P.S. Chand, District Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Tribhuwan Narayan, Adv.
For the Opposite Party/s :	Mr. J. N. Thakur, APP
For the Informant :	Mr. Mr. S. K. Sharma, Adv.
	Ms. Kiran Kumari Sharma, Adv.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-01-2018 Heard learned Counsels for the petitioners, informant and learned APP for the State.

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

Prosecution case as per the written report of one Makku Prajapati is that his daughter namely, Sushila Devi, was married with Dilip Prajapati and when second time she went to in-laws house about five years prior to lodging of the case, torture was being inflicted upon the daughter of the informant



for non-fulfillment of further dowry demand, though the issue was reconciled but ultimately the accused persons by administering poison killed the victim.

It is submitted by learned counsel for the petitioners that the petitioners are separate from the husband of the victim and to that effect a certificate has been issued by Sarpanch of the Village- Kachahari Chand, which has been brought on record as Annexure-3. On conclusion of investigation, the petitioners were not sent up for trial, but differing with the final form, the cognizance has been taken against the petitioners also.

It is submitted by learned Counsel for the informant that aluminium phosphide has been detected during the Viscera examination, which corroborates the prosecution case that the victim was administered poison. The thrust of accusation is against the husband of the victim, who as per the counsel for the petitioner is in custody.

Considering the thrust of accusation against the husband of the victim, who as submitted by learned Counsel for the petitioner is in custody, 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 Judicial Magistrate 1st Class, Kaimur at Bhabua, in connection with Chand P.S. Case No. 61 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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