

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.59002 of 2017

Arising Out of PS.Case No. -184 Year- 2017 Thana -ALAMGANJ District- PATNA

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1. Indrawati Devi @ Indrani Devi, W/o Kallu Prasad,
2. Kallu Prasad @ Kallu S/o Late Keshaw Mistiri,
3. Krishna Prasad @ Krishna Kumar @ Suman Krishna S/o Kallu Prasad,
4. Shankar Kumar @ Shankar Prasad S/o Kallu Prasad,
5. Suraj Kumar S/o Kallu Prasad, All are R/o Village- Nasariganj, Biscuit
Factory, Budha Nagar, 9A, P.S.- Danpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Sinha, Advocate

For the Opposite Party/s : Mr. Abhay Kumar – 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 03-01-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

This is an application for grant of anticipatory bail in
connection with Alamganj P. S. Case No. 184 of 2017 registered
for the offences punishable under Sections 304 (B) of the Indian
Penal Code.

The prosecution case is that the informant solemnized her
daughter's marriage with one Kanhaiya Prasad on 05.03.2016 and
rupees three lacs, ornaments and other gifts was given, but
subsequently accused persons started torturing her daughter for
dowry. It is further alleged that the daughter of the informant gave



birth to a female child in the Guru Gobind Singh Hospital, Patna City on 08.04.2017. However, the condition of the daughter of the informant deteriorated and then she was shifted to Indira Gandhi Hospital, Sheikhpura, Patna where she died on 24.04.2017 during the course of treatment. It has further been alleged that due to assault by the accused persons, the deceased had sustained injuries in her heart, resulting in her death.

Learned counsel for the petitioners submits that the informant and her family members have participated in the last rights and sharadh ceremony and only after lapse of about 22 days of the death of victim, the present F.I.R. has been belatedly lodged on 16.05.2017 where as victim died on 24.04.2017. It is further stated that the petitioner No. 1 is the mother-in-law of the victim, petitioner No. 2 is father-in-law and the petitioner nos. 3 to 5 are minor brother-in-laws of the deceased girl, hence, a compassionate view be taken in the present case. It is also submitted that there is no truth in the prosecution case.

Considering the nature of accusation and the fact that the petitioners are not the husband of the victim and admittedly the victim girl died during the course of treatment, I deem it fit and appropriate to direct the release of the above named petitioners on anticipatory bail in the event of their arrest/surrender before the



concerned Trial Court within six weeks from today on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City, Patna in connection with Alamganj P. S. Case No. 184 of 2017, subject to the conditions enumerated under Section 438 (2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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