

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25980 of 2018

Arising Out of PS.Case No. -14 Year- 2017 Thana -DORIGANJ District- SARAN

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1. Pankaj Rai, S/o Brij Kishor Rai,
2. Brij Kishor Rai @ Braj Kishor Rai S/o Sri Late Ramgati Rai,
3. Manti Devi W/o Brij Kishor Rai @ Braj Kishor Rai, All are R/o Vill.-
Sigahi Wajitpur, P.S.- Doriganj, District- Saran at Chapra.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.26082 of 2018

Arising Out of PS.Case No. -14 Year- 2017 Thana -DORIGANJ District- SARAN

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1. Bindu Kuar @ Bindu Devi Daughter of Brij Kishore Rai @ Braj Kishor Rai Resident of Village - Sigahi Wajitpur, Police Station - Doriganj, District - Saran at Chapra Wife of Shivkumar Ray Presently residing at Rampur AMI, Ward No. 10, Police Station, District - Saran at Chapra.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

(In Cr.Misc. No.25980 of 2018)

For the Petitioner/s : Mr. Krishna Kumar Yadav

For the Opposite Party/s : Mr. Amit Kumar Rakesh

(In Cr.Misc. No.26082 of 2018)

For the Petitioner/s : Mr. Krishna Kumar Yadav

For the Opposite Party/s : Mr. Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-05-2018

Heard both sides.

The petitioners apprehend their arrest in Doriganj P.S.

Case No.14/2017, G.R. No.337 of 2017 registered under Sections



304B and 201/34 of the Indian Penal Code.

The mother of the deceased alleged that in the year 2012 while her daughter had gone to appear at exam, Rajan Rai and Pankaj Rai, the petitioner no.1 enticed her daughter and solemnized marriage but after marriage, her husband, brother-in-law, father-in-law and sister-in-law began to subject her to torture. It is further alleged that on account of purchasing a box, the in-laws subjected her daughter to torture in different ways. On 19.01.2017 her daughter was beaten to death.

Learned counsel for the petitioners submits that the petitioners are brother-in-law, father-in-law, mother-in-law and sister-in-law of the deceased. There is no allegation of demand of dowry. In fact, the deceased died due to excessive bleeding on account of miscarriage. The deceased got two children out of her bed lock. Rajan Rai, the husband of the deceased had already granted regular bail vide order dated 22.12.2017 passed in Cr. Misc. No.55581 of 2017. The case of the petitioners stands on better footing as the petitioners are in-laws of the deceased and there is no allegation of demand of dowry against the petitioners, although love marriage was solemnized in the year 2012.

Considering the aforesaid fact that the petitioners are in-laws of the deceased and there is no specific allegation of demand



of dowry and torture against the petitioners, the petitioners above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VII, Saran at Chapra, in connection with Doriganj P.S. Case No.14/2017, G.R. No.337 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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