

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63481 of 2018

Arising Out of PS. Case No.-176 Year-2018 Thana- CHAND District- Bhabhua (Kaimur)

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1. Gyani Devi, W/O Vijay Chauhan.
 2. Rupa Devi, W/O Dipak Chauhan. Both R/V- Ailay, P.S. Chand, District- Kaimur at Bhabua.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Tribhuwan Narayan, Advocate.
For the Opposite Party : Mr. Shailendra Kumar -1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 26-11-2018 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the informant.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 304(B)/34 of the IPC.

The prosecution story, in brief, is that the deceased
Kabutara Devi, daughter of the informant, was married to one
Sugriva Chauhan, son of petitioners, in the year 2014 and her
Gauna was done on 25.05.2018. On 02.08.2018, around 2.00
O'clock in the afternoon, she received information that her
daughter has been burnt and when she reached at her
matrimonial house in the Village-Ahilya, she found that her
daughter's entire body was burnt and she was covered with a
cloth. Thereafter, the informant took her daughter to Sadar



Hospital, Bhabua, for her treatment. On way and during her treatment, the deceased told the informant that the petitioners entered in her house and sprinkled Kerosene Oil and thereafter set her on fire. The informant further states that there was dowry demand of Rs. 10,000/- but the same was not fulfilled. On the same day i.e., 02.08.2018, during treatment in the Emergency Ward, the informant's daughter passed away.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioners are ladies. They are mother-in-law and *Gotani* of the deceased. They are separate in mess and property from the husband of the deceased. There is no eye witness to the alleged occurrence.

On behalf of the learned counsels for the State and informant, it has been submitted that the petitioners are named in the F.I.R. The informant in F.I.R. itself has disclosed that while the deceased was being transported for medical treatment, she had disclosed on the way that the petitioners alongwith other co-accused persons had burnt the deceased.

Considering the aforesaid facts and circumstances, I



am not inclined to grant anticipatory bail to the petitioners. The same is rejected in connection with Chand P.S. Case No. 176 of 2018, pending in the court of learned A.C.J.M.-IV, Kaimur at Bhabua. Anyhow, if the petitioners surrender and pray for regular bail in the learned court below, the same shall be considered on its own merit without being prejudiced by this order of the Court.

U.K./-

(Sudhir Singh, J)

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