

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19832 of 2018

Arising Out of PS. Case No.-133 Year-2017 Thana- NABINAGAR District- Aurangabad

1. Niraj Kumar @ Neeraj Kumar Singh @ Chhotu, Son of Sheo Singh
2. Sarita Singh @ Sarita Devi, Daughter of Sheo Singh, Both Resident of Village-Itwan Tola Lodipur, P.S.-Navinagar, now Tandawa, District-Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramashish
For the Opposite Party/s : Mr. Sri S.M. Rahman

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-04-2018 Heard learned counsels for the petitioners and State.

The petitioners being the brother and sister of the husband of the deceased are apprehending arrest in a case registered for the offences punishable under Sections 304B/34 of the IPC.

The prosecution case, as per the written report of Harendra Kumar Singh, dated 21.05.2017, submitted to the Station House Officer, Navinagar is to the effect that the informant's daughter Neha Singh was married with Dheeraj Singh on 19.04.2016. After two months of the marriage, the parents-in-law, brother-in-law, sister-in-law and the husband of the informant's daughter started demanding further dowry of Rs. 75,000/- cash, Pulsar Motorcycle and gold chain. Since the informant was unable to



fulfill the dowry demand, hence he prayed for some time. It is also alleged that whenever, the informant used to visit the in-laws house of his daughter, she used to complain about torture and assault. Subsequently, she gave birth to a female child. On 21.05.2017, the father of the husband of the informant's daughter informed that the daughter of the informant, Neha Kumari is seriously ill and she is admitted in the hospital. Thereafter, the informant and his younger brother went to the in-laws house and found his daughter dead. They also found sign of injury on the body of the deceased.

It is submitted by learned counsel for the petitioners that the accusation is omnibus and general against the petitioners. The petitioners claim to be separate from the husband of the victim. On conclusion of investigation, the petitioners were not sent up for trial, but subsequently, differing with the final form, the learned Magistrate took cognizance against the petitioners also. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that there is accusation against the petitioners in the FIR and now cognizance has been taken against them also.



Considering the thrust of accusation against the husband of the victim and on conclusion of investigation, the petitioners have not been sent up for trial, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Aurangabad in connection with Nabinagar P.S. Case No. 133 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--

