

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9021 of 2019

Arising Out of PS. Case No.-338 Year-2018 Thana- BARH District- Patna

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1. Jai Ram Pandit, aged about 55 years (Male), S/o Late Sita Ram Pandit
 2. Saroja Devi, aged about 50 years (Female), W/o Jai Ram Pandit
- Both are resident of Shah Salimpur, P.S-Barh, Dist.-Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tilak Sao

For the Opposite Party/s : Mr. Atul Chandra

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-02-2019 Heard learned Counsels for the petitioners and
learned APP for the State.

The petitioners, being the parents of the husband of the victim, are apprehending arrest in a case registered for the offences punishable under Sections 304(B) and 323/34 of the Indian Penal Code.

The prosecution case as per the Ferdbeyan of Binad Pandit, recorded by S.I., V.K.Singh, Barh Police Station dated 13.09.2018 at 6.15 A.M., is to the effect that informant's daughter Sudhi Devi was married with Nitish Kumar in the year 2016. The daughter of the informant was kept with dignity and honour for sometime, but thereafter, torture was inflicted upon the daughter of the informant, for non-fulfillment of further



dowry demand of a motorcycle, a godrej, a refrigerator and cash of Rs.50,000/-. On 13.09.2018, the informant received an information in his mobile that his daughter has been killed.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against the husband of the victim and the postmortem report does not suggest any injury. It is further submitted that the cause of death has not be ascertained as viscera has been kept reserved. The petitioners claim to reside separately. A statement has been made in paragraph no. 3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that the said occurrence took place within 2 years of the marriage and the victim has been poisoned by the petitioners.

Considering the fact that the thrust of accusation is against the husband of the victim and the impugned order does not suggest any injury, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, 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 **ACJM, Barh** in connection with **Barh P.S. Case No.338 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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