

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11686 of 2019

Arising Out of PS. Case No.-167 Year-2015 Thana- JAYNAGAR District- Madhubani

1. RAM PUJAN YADAV Son of Sri Deo Narayan Yadav Resident of Village - Fulkaha, P.S.- Jainagar, District - Madhubani
2. Sabita Devi D/O - Deo Narayan Yadav Resident of Village - Fulkaha, P.S.- Jainagar, District - Madhubani

... .. Petitioners.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Ajay Kumar Thakur, Advocate.
For the State	:	Mr. Vinod Shanker Modi, A.P.P.
For the Informant	:	Mr. Manoj Kumar Jha, Advocate.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 01-10-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State as also the learned counsel for the informant.

The petitioners apprehend their arrest in connection with Jainagar P.S. Case No.167 of 2015 registered under Sections 302, 201 and 120(B) of the Indian Penal Code.

The accusation is that the informant performed the marriage of his daughter Savita Devi with Ram Pujan Yadav (petitioner no.1) in the year 2003. Due to the wedlock, the daughter of the informant was blessed with three children. It is further alleged that Savita Devi, the daughter of the informant, used to reside at the service place of her husband, who used to



do the job of constable at Patna. On 08.07.2015, Savita Devi, the daughter of the informant had gone at her matrimonial village-Fulkaha and in the evening, she informed the informant that on the next day, she will move for Patna. In the next morning, the informant received information regarding the death of his daughter Savita Devi. Thereafter, when the informant reached at the matrimonial village of his daughter, then he came to know that his daughter has been killed and her dead body has been disposed of. Earlier, the daughter of the informant was also being tortured by her husband (petitioner no.1) and other in-laws for non-fulfillment of the dowry demand.

Learned counsel for the petitioners submits that the petitioner no.1 is husband, whereas the petitioner no.2 is the married Nanad of the daughter of the informant Savita Devi. In fact, the daughter of the informant had gone to her sasural village in the night and in course of fitting the table fan, she received electric shock and died. Thereafter, the information was given to the informant in this regard, who came and participated in the funeral ceremony of his daughter but with an ulterior motive, the informant has lodged the present case. Further submission is that, after investigation, while the police submitted the final form but the learned Chief Judicial



Magistrate, Madhubani, differing with the final form, took the cognizance of the offence against the petitioners under Sections 302 and 201 of the Indian Penal Code.

On the other hand, learned counsel for the informant submits that in course of investigation, it has come that the petitioner no.1, who is the husband of the daughter of the informant, had illicit relation with someone, due to that reason, he conspired to commit the murder of his wife, the daughter of the informant.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Madhubani, in connection with Jainagar P.S. Case No.167 of 2015, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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