

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19198 of 2019

Arising Out of PS. Case No.-878 Year-2018 Thana- SITAMARHI District- Sitamarhi

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1. Chandrakala Devi, aged about 54 years, Gender-Male, Wife of Ramu Thakur, Resident of Village - Koari, P.S.- Sitamarhi, District – Sitamarhi.
 2. Govind Thakur, aged about 26 years, Gender-Male, Son of Ramu Thakur Resident of Village - Koari, P.S.- Sitamarhi, District – Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Rakesh Kumar, Advocate.
For the Opposite Party : Mr.Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-04-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are languishing in custody since
16.09.2018 in a case for the offence registered under Sections
304(B)/34 of the IPC and ¾ of the D.P. Act.

The prosecution story, in brief, is that the accused
persons including the petitioners killed the victim due to non-
fulfilment of demand of dowry.

It has been submitted by learned counsel for the
petitioners that the petitioners have got no criminal antecedent.



Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. Petitioner no. 1 is the mother-in-law and petitioner no. 2 is the husband of the deceased. Petitioner no. 1 is separate and mess from the husband of the deceased. She has got no concern with 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/ complaint case. Petitioner no. 2 is the husband of the deceased. The onus is upon him to explain cause of death of the deceased. The independent witnesses in paragraph nos. 27 and 28 of the case diary have supported the prosecution case.

Considering the fact that the petitioner no. 2 is the husband of the deceased, I am not inclined to grant bail to petitioner no. 2 Govind Thakur. The same is rejected in connection with Sitamarhi P.S. Case No. 878 of 2018, pending in the court of learned C.J.M., Sitamarhi.

As far as petitioner no. 1 is concerned, let petitioner no. 1 Chandrakala Devi be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M.



Sitamarhi, in connection with Sitamarhi P.S. Case No. 878 of
2018.

(Sudhir Singh, J)

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