

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54626 of 2019

Arising Out of PS. Case No.-49 Year-2019 Thana- GAUTAMBUDHNAGAR District- Siwan

1. RAMESH PRASAD, aged about 30 years, Male, Son of Ramchandra Prasad, Resident of Village - Chachopali, P.S. - G.B. Nagar, Distt - Siwan
2. Meera Devi, aged about 28 years, Female, Wife of Ramesh Prasad, Resident of Village - Chachopali, P.S. - G.B. Nagar, Distt - Siwan
3. Saroj Devi, aged about 25 years, Female, Wife of Shri Niwas Prasad, D/o Ramchandra Prasad, Resident of Village - Chachopali, P.S. - G.B. Nagar, Distt - Siwan. At present R/o Village - Jalalpur, P.S.- M.H. Nagar, Distt - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajiv Kumar, Adv.
For the Opposite Party/s	:	Mr.Ramchandra Sahni, APP
For the Informant	:	Mr. Akhileshwar Kumar Srivastava, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with G.B. Nagar P.S. Case No. 49 of 2019 registered under Section 304B/34 of the Indian Penal Code.

The accusation is that the informant, Baleshwar Prasad, performed the marriage of his sister, Kusum Devi, with Sunil Prasad, son of Ramchandra Prasad, before three years. After marriage, Sunil Prasad and his father, Ramchandra Prasad,



used to demand motorcycle, gold chain and ring in dowry giving threatening, otherwise his sister will be killed. The informant also arranged Panchayati and made request that he is unable to fulfill the demand. In spite of that Kalavati Devi, mother-in-law of his sister and other family members used to torture his sister. On 17.02.2019, informant received information that his sister has been killed, then, informant went at sasural of his sister and saw her dead body showing marks of pressing neck.

The learned counsel for the petitioners submits that it would appear from the first information report that demand of dowry was being made by Sunil Prasad and Ramchandra Prasad, husband and father-in-law of the deceased sister of the informant. The petitioners, who are brother-in-law, gotni and married nanad of the deceased have been made accused with general allegation of torturing the deceased sister of the informant.

On the other hand, learned counsel appearing on behalf of the informant submits that the cause of death of sister of the informant is detailed in the post mortem report is asphyxia due to strangulation and sharp cut line wound, due to pointed sharp weapon.



Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with G.B. Nagar P.S. Case No. 49 of 2019 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Siwan, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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

