

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64016 of 2019

Arising Out of PS. Case No.-343 Year-2017 Thana- DIGHA District- Patna

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1. JAGDISH PRASAD S/o Late Shivnandan Gope Resident of Mohalla- Station Road, Hilsa, P.S.- Hilsa, Disterict- Nalanda.
 2. Malti Devi Wife of Jagdish Prasad Resident of Mohalla- Station Road, Hilsa, P.S.- Hilsa, Disterict- Nalanda.
 3. Rajnish Kumar Anand S/o Jagdish Prasad Resident of Mohalla- Station Road, Hilsa, P.S.- Hilsa, Disterict- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudal Prasad
For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 18-10-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Digha P.S. Case No.343 of 2017 registered under Sections 306, 109, 111 and 113/34 of the Indian Penal Code.

The accusation is that the marriage of Anisha Kumari, the daughter of the petitioner nos.1 and 2 and the sister of the petitioner no.3, was performed with Abhishek Anand, brother of the complainant/informant Aditya Anand, on 14.12.2016, concealing the fact that the marriage of Aditya Anand has already been performed and he has divorced his first



wife. Due to that reason, Anisha Kumari used to remain fed-up. While Anisha Kumari was being looked after property at her matrimonial house but she committed suicide due to ill-behaviour of the petitioners.

Learned counsel for the petitioners submits that the complainant/informant, initially, lodged Complaint Case No.3362 of 2017 in the court of the Chief Judicial Magistrate, Patna, which was sent under Section 156(3) of the Code of Criminal Procedure to the concerned police station for investigation and, accordingly, the present case has been lodged on 05.10.2017. Admittedly, the petitioners are parents and brother of Anisha Kumari, who died due to ill-behaviour of her in-laws, but only to take the defence, the present case has been lodged by the complainant/informant. Further submission is that after the death of Anisha Kuamri at her matrimonial house, the petitioner no.1 had lodged Digha P.S. Case No.230 of 2016 under Sections 304(B), 498(A) and 120(B)/34 of the Indian Penal Code for torturing and killing of his daughter Anisha Kumari due to non-fulfillment of the dowry demand.

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) with two sureties of the like amount
each to the satisfaction of the Sub Divisional Judicial
Magistrate, Patna, in connection with Digha P.S. Case No.343 of
2017, subject to the conditions laid down under Section 438(2)
Cr.P.C.

(Rajendra Kumar Mishra, J)

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