

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76900 of 2019

Arising Out of PS. Case No.-139 Year-2019 Thana- SAKRI District- Madhubani

1. Bhuteri Paswan S/o Late Jeebachh Paswan K/o village- Kanakpur (Paswan Tola), P.S.- Sakri, District- Madhubani
2. Lalita Devi W/o Bhuteri Paswan K/o village- Kanakpur (Paswan Tola), P.S.- Sakri, District- Madhubani
3. Rishi Kumar Paswan @ Rishi Paswan S/o Bhuteri Paswan K/o village- Kanakpur (Paswan Tola), P.S.- Sakri, District- Madhubani
4. Santosh Paswan S/o Bhuteri Paswan K/o village- Kanakpur (Paswan Tola), P.S.- Sakri, District- Madhubani

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Kripa Nand Jha
For the State	:	Mrs. Meena Singh, APP
For the Informant	:	Mr. Ratnakar Jha

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 06-03-2020 Heard learned Counsel for the petitioners and the learned APP for the State.

Petitioners apprehend arrest in Sakri PS Case No. 139 of 2019 registered under Sections 306 IPC.

The allegations in the FIR is that the in-laws (Petitioners) have mistreated the victim (daughter-in-law) and she has finally committed suicide under a running a train.

The petitioners' counsel submits that the railway crossing was at a very close distance from the house. The death of the victim is a bonafide accident while crossing the railway line. It is further submitted that the FIR has been lodged on telephonic information received by the informant (father of the victim girl) and as such no case against the petitioners is made out.

Learned Counsel for the informant as well as APP have



opposed the prayer referring to the materials collected during the course of investigation. It is submitted that the neighbours of the in-laws have supported the case of the victim being subjected to cruelty and as such the prosecution stands supported by them. During investigation it has specifically come that the petitioner No. 3 was quarreling with the victim every day and had also snatched her son from her.

Considering the rival submissions this Court is not inclined to grant privilege of anticipatory bail to the petitioner No. 3 (husband). His prayer for anticipatory bail is rejected.

In so far as petitioner Nos. 1, 2 and 4 father-in-law, mother-in-law and Dewar are considered this Court would direct that in the event of arrest or surrender before the court below within four weeks from today, let the petitioner Nos. 1, 2 and 4, above named, 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 CJM Madhubani in Sakri PS Case No. 139 of 2019. subject to all conditions as laid down in Section 438(2) of the Criminal Procedure Code as also subject to the following conditions:-

(I) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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