

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39959 of 2020

Arising Out of PS. Case No.-47 Year-2020 Thana- KARJA District- Muzaffarpur

1. Sila Devi @ Most. Sila Devi, W/o Late Laldeo Ram, Resident of Village - Aima Bishunpur, P.S. - Karja, Distr. - Muzaffarpur
2. Sita Devi, W/o Birendra Ram, Resident of Village - Kothia, P.S. - Kanti District - Muzaffarpur.
3. Samita Devi, W/o Sikandar Ram, Resident of Village - Kothia, P.S. - Kanti District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate.

For the Opposite Party/s : Mr. Aditya Narayan Singh 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 19-07-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State through Video Conferencing.

The petitioners apprehend their arrest in connection with Karja P.S. Case No. 47 of 2020, registered under Sections 304B and 201/34 of the Indian Penal Code.

The accusation is of killing of the daughter of the informant by her husband and in-laws due to non-fulfillment of demand of dowry after seven years of her marriage.

Learned counsel for the petitioners submits that it would



appear from the FIR that the deceased, daughter of the informant, died after seven years of her marriage, as such, offence under Section 304B of the Indian Penal Code could not be applicable. Further submission is that, in fact, due to slipping of the leg of the deceased, she fell down in the pond and died and in the postmortem report, the deceased died due to asphyxia as a result of antemortem drawing but with ulterior motive, the informant lodged the present case implicating the petitioners, who are mother-in-law and two sister-in-law of the deceased. Mr. Nachiketa Jha, learned counsel appearing for the petitioners submits, at bar, that the husband of the deceased is in custody.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-V (West) Muzaffarpur, in connection with Karja P.S. Case No. 47 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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

