

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16940 of 2021

Arising Out of PS. Case No.-175 Year-2014 Thana- SAHARSA SADAR District- Saharsa

1. BINDO DAS @ BINDESHWARI DAS Son of Late Mahavir Das Resident of Village - Bharrahi, Ward No. 06, Police station - Madhepura, District - Madhepura.
2. Urmila Devi Wife of Bindo Das @ Bindeshwari Das Resident of Village - Bharrahi, Ward No. 06, Police station - Madhepura, District - Madhepura.
3. Kishore Das Son of Bindo Das @ Bindeshwari Das Resident of Village - Bharrahi, Ward No. 06, Police station - Madhepura, District - Madhepura.
4. Shankar Das Son of Bindo Das @ Bindeshwari Das Resident of Village - Bharrahi, Ward No. 06, Police station - Madhepura, District - Madhepura.
5. Ranjay Das @ Ranjay Kumar Son of Bindo Das @ Bindeshwari Das Resident of Village - Bharrahi, Ward No. 06, Police station - Madhepura, District - Madhepura.
6. Ram Sundar Devi Wife of Kishori Das Resident of Village - Bharrahi, Ward No. 06, Police station - Madhepura, District - Madhepura.
7. Renu Devi Wife of Shankar Das Resident of Village - Bharrahi, Ward No. 06, Police station - Madhepura, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha

For the Opposite Party/s : Mr.Ashok Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 19-01-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

The learned counsel for the petitioners seeks permission to withdraw this anticipatory bail petition as against the petitioner nos. 1,3, 5, 6 and 7.



Permission is accorded. The application as against petitioner nos. 1,3, 5, 6 and 7 is dismissed as withdrawn.

The petitioner nos.2 and 4 apprehend their arrest for the offences alleged under Sections 304(B) and 34 of the Indian Penal Code, registered in connection with Saharsa Sadar P.S.Case No.175 of 2014.

As per the allegation, the accused persons were inflicting torture on the deceased for non-fulfilment of the dowry demand. On 18.03.2014, the accused Sanjay Das, who is the son-in-law of the informant, brought his daughter Sunita Devi @ Soni to her *myke*. Sanjay Das made pressure upon the deceased to demand dowry, which was denied by the deceased. At about 1.00 a.m.(night), the informant awoke hearing the cries of his daughter. He went there and saw that her daughter was set on fire. Meanwhile, his son-in-law Sanjay Das fled away. His daughter Sunia Devi @ Soni apprised the informant that after setting her on fire, Sanjay Das fled away. Sunita Devi @ Soni lost her life during the course of treatment in Sadar Hospital, Saharsa.

The learned counsel for the petitioner nos. 2 and 4 has submitted that petitioner no.2 Urmila Devi is mother-in-law of the deceased Sunita Devi @ Soni and petitioner no.4 is the



Bhainsoor of the deceased. He has submitted that the FIR itself shows that the deceased did not name these petitioners, rather she has named only Sanjay Das, the husband and apprised her father that after putting her on fire, he fled away.

Considering the above facts and circumstances, let the petitioner nos. 2 and 4 above-named, in the event of their arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No.175 of 2014, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Office shall ensure that all the defects are removed by the petitioners within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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