

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64453 of 2022

Arising Out of PS. Case No.-134 Year-2022 Thana- KALYANPUR District- Samastipur

1. BIRENDRA MANDAL @ BRIND MANDAL Son of Late Ramasish Mandal R/V- Kharsand Purvi, Ward No. 4, P.S- Kalyanpur, Dist- Samastipur
2. Shimala Devi Wife of Sri Birendra Mandal R/V- Kharsand Purvi, Ward No. 4, P.S- Kalyanpur, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar Jha

For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 20-07-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under Section 304B/201/120(B) of the Indian Penal Code.

3. It is a case of dowry death.

4. Petitioner No.1 is father-in-law and petitioner No.2 is mother-in-law of the deceased.

5. Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. It is further submitted that on the alleged date of occurrence petitioners were out of their residence and



husband of the deceased was in Maharashtra. Petitioners are separate from the deceased in mess and property and they have got no concern with family affairs of the deceased or her husband. Petitioners have got clean antecedent.

5. Learned counsel appearing for the State opposes the prayer for anticipatory bail and submits that these petitioners along with other accused persons tortured the daughter of informant for dowry and committed her murder by burning and her dead body was being cremated in the meantime the informant along with police arrived there and half burnt dead body of deceased was recovered. The deceased died within seven years of her marriage under unnatural circumstances.

6. Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioners on pre arrest bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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