

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34544 of 2015

Arising Out of PS.Case No. -45 Year- 2015 Thana -KARAKAT District- SASARAM (ROHTAS)

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1. Ayodhya Singh son of Late Sukhdeo Singh
 2. Gangajo Devi @ Gangajali Devi wife of Ayodhya Singh Both Resident of village- Chougai, P.S.- Karakat, District- Rohtas at Sasaram

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh

For the Opposite Party/s : Mr. Sunil Kumar Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 23-11-2015 Heard the learned counsel for the petitioners as well as the learned A.P.P.

The petitioners seek bail in a case for the offences punishable under sections 304(B)/34 of the I.P.C and section 3 of the Dowry Prohibition Act.

Allegedly, due to non fulfillment of demand of motorcycle the petitioners and other co-accused killed Anuradha Devi, daughter of the informant.

Submission is of false implication and that there is no specific allegation, the victim had no issue resulting she committed suicide and now knowing the reality the informant has filed compromise petition and has retracted from the initial version. The two co-accused, namely, Seema Kumari and Puja

Kumari have already been allowed bail vide Cr. Misc. No. 34583 of 2015 by order dated 01.09.2015 by another coordinate Bench of this Court and as such the petitioners who are suffering in custody since 02.04.2015 deserve sympathetic consideration.

The learned A.P.P. opposes prayer for bail.

In the facts and circumstances as stated above, considering that the petitioners are old father-in-law and mother-in-law and the informant retracted from the initial version, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioners are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Anand Kumar, J.M. 1st Class Cum Addl. M-5, Bikramganj, Rohtas in Karakat P.S. Case No. 45 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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