

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47512 of 2015

Arising Out of PS.Case No. -59 Year- 2014 Thana -SANGRAMPUR

District- EASTCHAMPARAN (MOTIHARI)

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1. Janardan Sah, son of Late Sukhal Sah

2. Girja Devi wife of Janardan Sah

Both are residents of Village- Sikandarpur, P.S.-
Sangrampur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Adv.

For the Opposite Party/s : Mr. Lalan Kumar (A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 03-11-2015 Heard learned counsel for the petitioners and
learned Assistant Public Prosecutor for the State.

This application for grant of regular bail arises out of Sangrampur P.S. Case No.59 of 2014, disclosing offences under Sections 498(A), 304(B) and 201 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The petitioners are, respectively, father-in-law and mother-in-law of the deceased. As per the

prosecution case, marriage of daughter of the informant was solemnized with the son of the petitioners nearly one year before the date of death of the deceased, i.e., on 03.06.2014. Allegedly, after two months of solemnization of marriage, the in-laws started making demand of dowry from the parents of the deceased. The First Information Report came to be instituted on 08.06.2014.

Learned counsel, appearing on behalf of the petitioners, submits that even according to the prosecution case, dowry was not a consideration for marriage. He contends that there is no allegation that immediately before death of the deceased, any demand of dowry was made. He further submits that delay of nearly five days in institution of the First Information Report, casts serious doubt over the prosecution case.

Considering the submission, as above, this application is allowed. The petitioners, abovenamed, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Motihari, East Champaran** in connection with **Sangrampur P.S. Case No.59 of 2014.**

This is subject to the condition that the

petitioners shall present themselves before the police/Court, as the case may be, as and when required, and in the event of failure on their part to appear before the Court, on two consecutive occasions, their bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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