

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40611 of 2014

Arising Out of PS.Case No. -60 Year- 2013 Thana -KHANPUR District- SAMASTIPUR

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1. Ful Kumari Devi @ Minu Devi Wife of Sri Ram Lakhan Mahto
 2. Ram Lakhan Mahto @ Loha Singh Son of Late Thithar Mahto Both resident of village- Patpara North, P.S.- Bibhutipur, District- Samastipur

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Dudh Nath Singh

For the Opposite Party : Mr. Subhash Chandra Mishra(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 19-02-2015 Petitioners are languishing in custody since 18.02.2013 and 23.01.2014 in a case registered for the offences punishable under Sections 304B, 201, 34 of the I.P.C and Section 3/4 of the Dowry Prohibition Act.

Accusation is killing the sister of the informant after five years of marriage for non-fulfilment of dowry demand.

It is submitted by learned counsel for the petitioners that accusation is not specific against the petitioners when the dead body was recovered from the territorial jurisdiction of police station of the informant's native place. Moreover there is no eye witness to the occurrence.

The report of learned Adhoc Additional District & Sessions Judge-III, Samastipur at Flag-A dated 27.01.2015 reflects that no witness has been examined.

Though learned Court below suggested that the trial will be concluded within a period of six months.

Considering the stage of the trial and the fact that thrust of accusation is against the husband of the victim, let the petitioners, above named, 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 Adhoc Additional District & Sessions Judge-II, Samastipur in connection with Sessions Trial No. 284 of 2014, arising out of Khanpur P.S. Case No. 60 of 2013.

Let learned Court below cancel the bail bonds of the petitioners, if the petitioners default for two consecutive occasions during trial and if need be learned Court below will be at liberty to separate the trial of the petitioners.

(Dinesh Kumar Singh, J)

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