

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25175 of 2014

Arising Out of PS.Case No. -26 Year- 2014 Thana -MAHILA P.S. District- SIWAN

- =====
1. Surendra Dubey @ Surendra Nath Dubey Son of Late Babban Dubey
 2. Ashish Dubey
 3. Satish Dubey @ Satish Kumar dubey Both sons of Surendra Dubey @ Surendra Nath Dubey
 4. Kunti Devi W/o Surendra Dubey @ Surendra Nath Dubey All Residents of Village - Majhwalia, P.S. - Darauli, District - Siwan

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Naresh Dikshit, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Roy (App)

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

8 20-04-2016 Heard learned counsel for the petitioners
and learned APP for the State.

2. The petitioners apprehend their arrest
for the offences alleged under Section 306/34 of the
Indian Penal Code and Section 4 of the Dowry
Prohibition Act registered in connection with Siwan
Mahila P.S. Case No.26 of 2014.

3. It is submitted that the petitioners have
been falsely implicated as even the averments made in
the F.I.R. do not constitute any offence under Section
306 I.P.C. against the petitioners.



4. Learned A.P.P. on the basis of case diary submits that the petitioners had made demand for dowry at the time of negotiation of the marriage between the informant's grand daughter and the petitioner no.2. However, he has been unable to pin point any specific material in the case diary to disclose overt act or specific role attributable to the petitioners in connection with the suicide of the informant's grand daughter.

5. Having regard to the entirety of the facts and circumstances of the case, as such, in the event of the arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Siwan Mahila P.S. Case No.26 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C. and also subject to the following further conditions :-

(i) The petitioner nos.2 and 3 shall be personally present and the petitioner nos.1 and 4 shall be well represented on each and every date during trial and

in the event of failure on two consecutive dates, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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