

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20920 of 2015

Arising Out of PS.Case No. -29 Year- 2015 Thana -ALAMGANJ District- PATNA

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1. Bhola Thakur @ Bhola Nath Thakur, son of Late Satya Narayan Thakur.
 2. Shobha Sharma, wife of Bhola Nath Thakur. Both are resident of Village - Kansara, P.S.- Rajapakar, District - Vaishali.

..... Petitioners

Versus

The State of Bihar.

..... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar
For the Opposite Party/s : Mr. Surendra Kumar(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 29-09-2015 Heard learned counsel for the petitioners and learned
counsels appearing on behalf of the informant and the State.

Case diary was called for in the present matter which has
since been received.

The petitioners are apprehending their arrest in
connection with Alamganj P.S.Case No. 29/15 registered under
Section 306 of the Indian Penal Code and Sections 3/4 of the
Dowry Prohibition Act.

Learned counsel for the petitioners submits that the
present case is under Section 306 IPC and the alleged demand of
dowry as made out by the prosecution is beyond imagination as
the deceased left her matrimonial home. It is further submitted that
the deceased and her husband had been in love and their marriage
was a love marriage. It is further submitted that since the boy in
question is employed in Air Force the deceased was living with

her parents and not her in-laws.

Learned counsel for the informant, however, submits that just prior to 10 minutes of the occurrence it is stated that the husband and wife had spoken to each other and thereafter she committed suicide.

Learned counsel for the State after perusing the case diary submits that there is no relevant material available so as to implicate the petitioners or to establish that the demand of dowry had in fact issued from these petitioners and the deceased lady was being subjected to torture by these two petitioners.

Considering the entire facts and circumstances and the nature of the allegation made, let these petitioners, above named, in the event of their arrest or surrender in the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each in connection with Alamganj P.S. Case No. 29/15 to the satisfaction of the Additional Chief Judicial Magistrate, Patna City, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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