

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37446 of 2015

Arising Out of PS.Case No. -93 Year- 2011 Thana -NAYAGAON District- SARAN

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1. Vinod Prasad son of late Mohan Prasad
2. Shobha Devi wife of Vinod Prasad
3. Niraj Kumar son of Vinod Prasad
4. Sudhir Kumar son of Vinod Prasad
5. Rinku Devi wife of Biru Prasad
6. Munni Devi wife of Ajay Prasad
All are resident of village- Gopalpur P.S.- Naya Gaon, District- Chapra (Saran)

.... Petitioner/s

Versus

1. The State of Bihar
2. Ramshakhi Kuer wife of late Rawan Prasad, Resident of village- Hemantpur Police Station- Dighwara, District- Chapra (Saran)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. M.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-09-2015 Heard learned counsel for the petitioners and the State.

The petitioners being the parents, brothers and sisters of the husband of the victim are apprehending their arrest in a case registered for the offences punishable under Sections 304B and 201 of the Indian Penal Code.

Accusation is of killing the daughter of the informant after four years of marriage for non-fulfillment of dowry demand.

It is submitted by the learned counsel for the petitioners that subsequently informant has retracted from the

initial version. On conclusion of investigation Final Form was submitted as mistaken of fact. But subsequently protest petition was filed and on the basis of Complaint-cum-Protest petition cognizance has been taken under Sections 304B and 201 of the Indian Penal Code. It is further submitted that processes are not being served to the petitioners and the husband of the victim has been granted regular bail vide Cr. Misc. No. 5839 of 2015.

Considering the fact that accusation is not being found to be true during investigation and the processes has been issued on the basis of Protest-cum-Complaint petition, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sri Anchal Dwivedi, Judicial Magistrate, Ist Class, Chapra, Saran in connection with Naya Gaon P.S. Case No. 93 of 2011, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

Three consecutive defaults during trial by petitioners will give liberty to the learned court below to cancel the bail bonds of the petitioners.

(Dinesh Kumar Singh, J)

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