

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24898 of 2014

Arising Out of PS.Case No. -67 Year- 2013 Thana -MAHILA PS District- JEHANABAD

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1. Bakhori Sharma, Son of Late Saryou Sharma
2. Dulari Devi, Wife of Bakhori Sharma
All are residents of village Madhubigha, P.S. Amain, District - Jehanabad
... .. Petitioners

Versus

The State of Bihar

.... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Tarun Kumar Sinha, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

6 05-08-2015 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Section 304 B of the Indian Penal Code registered in connection with Jehanabad Mahila P.S. Case No.67 of 2013.

3. It is submitted that the petitioners have been falsely implicated as even according to the first information report, the accusations are general and omnibus in nature. It is further submitted that the provisions of Section 304 B of the Indian Penal Code are not attracted as the death of the informant's sister occurred more than seven years after solemnization of marriage. It is further stated that one of the accused being husband of the deceased has since been acquitted

in Sessions Trial No.263 of 2012/69 of 2014 arising out of Jehanabad Mahila P.S. Case No.67 of 2003 by judgment dated 21.01.2015 passed by the learned 4th Additional Sessions Judge, Jehanabad.

4. In that view of the matter, the provisional bail granted to the petitioners by order dated 16.10.2014 pending in the Court of learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad Mahila P.S. Case No.67 of 2013 stands confirmed, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also also subject to the following further conditions:-

(i) The petitioners shall cooperate with the investigation and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(ii) The petitioners will be well represented on each and every date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled by the Court concerned.

(Vikash Jain, J)

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