

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10728 of 2016

Arising Out of PS.Case No. -615 Year- 2013 Thana -TURKAULIYA District- EAST
CHAMPARAN(MOTIHARI)

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1. Manju Devi, W/o Kanhai Sah,
2. Seema Devi, W/o Bhola Sah,
3. Shobha Devi, W/o Manoj Sah,
4. Indu Devi, W/o Anil Sah,
All are resident of village - Semra Tola Turkaulia, P.S. - Turkaulia,
District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey, Adv.

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 03-05-2016 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners have renewed their prayer for anticipatory bail in connection with Turkaulia P.S. Case No. 615 of 2013 for the offences alleged under Sections 304B, 201, 120B of the Indian Penal Code which was earlier rejected by order dated 21.10.2014 in Cr. Misc. No. 24596 of 2014.

3. It is submitted that subsequently the trial of the husband and father-in-law of the deceased has concluded in their acquittal after having regard to the statement of the informant Bhikhari Sah, P.W. 6 who has stated in his cross-examination that he was not present at his home at the time of his daughter's death and that his daughter was a patient of

mirgi disease and died due to mirgi disease. It was further stated that she had never complained about demand of motorcycle in dowry by her matrimonial family.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioners' 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 bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari in connection with Turkaulia P.S. Case No. 615 of 2013, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and 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 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)

Md. Ibrarul/-

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