

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57617 of 2015

Arising Out of PS.Case No. -244 Year- 2015 Thana -BUDDHACOLONY District- PATNA

- =====
1. Bhajan Sah @ Bhajan Prasad Sah Son of Shri Bishri Prasad
 2. Smt. Prathma Devi @ Prathman Devi wife of Shri Bhajan Sah
 3. Aayush Raj @ Rahul Raj son of Shri Bhajan Prasad All are resident of Mohalla Masalagali, P.S.- Budha Colony, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sucheta Yadav

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1 (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 11-01-2016 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioners being the father-in-law, mother-in-law and younger brother-in-law are apprehending their arrest in connection with Budha Colony P.S. Case No. 244 of 2015 registered for the offences punishable under Sections 304(B)/34 the Indian Penal Code.

Learned counsel for the petitioners submits that the allegations have been made against the petitioners under Section 304(B) of the Indian Penal code but in fact, the petitioners had separated from mess and business from the elder son, namely, Aditiya Raj, husband of the deceased lady. It is further submitted

that there is no specific allegation of demanding dowry against the petitioners and the present case has been lodged as an afterthought after the death of the daughter of the informant. It is further submitted that prior to the aforesaid occurrence, neither any Sanha was lodged nor any allegation of demand of dowry has ever been levelled.

Considering the aforesaid submissions and also the fact that there is no specific allegation against the petitioners and also the fact that petitioners have been living separately since long, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Patna in connection with Budha Colony P.S. Case No. 244 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J)

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