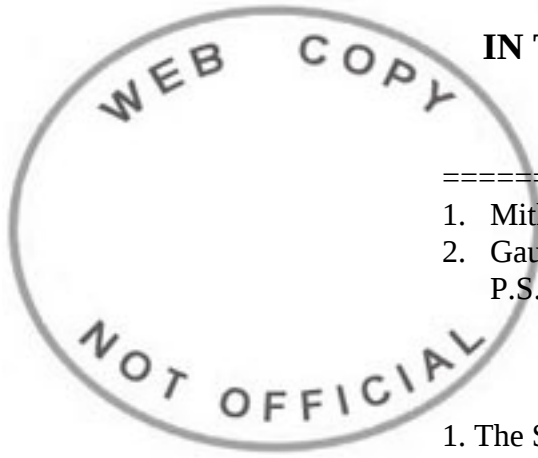




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6998 of 2016

Arising Out of PS.Case No. -77 Year- 2015 Thana -RIGA District- SITAMARHI

- =====
1. Mithu Rai S/o Gauri Rai,
 2. Gauri Rai, S/o Ram Briksh Rai, Both residents of village - Ufraulia,
P.S. - Riga, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Sanjay Kr. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

6 10-05-2016 Heard the learned counsel for the petitioners as well

as the learned A.P.P for the State.

The petitioners seek bail in a case for the offences punishable under sections 302, 120 B and 34 of the I.P.C and section 3/4 of the Dowry Prohibition Act.

Sugandhi Kumari, the daughter of the informant, was married to Amit Kumar, the son of petitioner no.2, one year ago and allegedly the mother-in-law snatched her all ornaments and further due to non fulfillment of demand of she-buffalo by way of dowry she was being tortured by the petitioners and other in-laws and ultimately she was strangulated to death with the help of rope.



Submission is of false implication and that petitioner no.1 is brother-in-law of the deceased, whereas, petitioner no.2 is father-in-law of the deceased, they have got no concern with the family affairs of the deceased or her husband, the husband of the deceased is already in custody, Indrasan Devi, the wife of petitioner no.2 has faced trial in Sessions Trial No. 313 of 2015/ 82 of 2015 wherein the informant and other witnesses have not supported the prosecution version resulting she has been acquitted and the petitioners in this false case are suffering in custody though they have surrendered in the light of the direction given in Cr. Misc. No. 53644 of 2015.

The learned A.P.P. fairly submits that the petitioners are brother-in-law and father-in-law and mother-in-law has already been acquitted.

In the facts and circumstances as stated above, the petitioners are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of C.J.M. Sitamarhi in Riga P.S. Case No. 77 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and

every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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