

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38670 of 2016**

Arising Out of PS. Case No. -90 Year- 2016 Thana -EKANGARSARAI District- NALANDA  
(BIHARSHARIFF)

1. Manoj Pandey Son of late Sobhi Pandey  
2. Rajiya Devi @ Manju Devi wife of Manoj Pandey  
Both resident of village - Karamganj, Police Station - Ekangarsarai,  
District Nalanda.

.... .. Petitioners

Versus

The State of Bihar

.... .. Opposite Party

**Appearance:**

For the Petitioners : Mr. Sunil Kumar Singh, Advocate  
Mr. Anil Kumar Singh, Advocate

For the Opposite Party : Mr. J.K. Singh, APP

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL ORDER

2 26-09-2016 Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners apprehend their arrest for the offences  
alleged under Sections 304(B) and 201/34 of the Indian Penal  
Code registered in connection with Ekangarsarai P.S. Case No. 90  
of 2016.

3. It is submitted that the petitioners being the  
father-in-law and mother-in-law respectively of the deceased have  
been falsely implicated as she was under medical treatment  
during her pregnancy and died in course of treatment when she  
was taken to PMCH., Patna as referred by Abhishek Hospital on  
30.06.2016. It is further submitted that the family members of the  
informant's side have also participated in the funeral of the  
deceased (Annexure-3). It is submitted that even if the accusations  
made in the FIR are true, the ingredients of offence under Section  
304B of the Indian Penal Code are not made out and there is no  
accusation of demand for dowry. The petitioners claim clean

antecedents.

4. Having regard to the entirety of the facts and circumstances, 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 bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned S.D.J.M., Hilsa, Nalanda, in connection with Ekangarsarai P.S. Case No. 90 of 2016, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions-

(i) That one of the bailors of each of the petitioners shall be their close relative other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That 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.

(iv) That the petitioners will be well represented in Court on each and every date and if they fail to do so on two consecutive dates without sufficient reason, their bail bonds will be liable to be cancelled by the Court concerned.

**(Vikash Jain, J)**

Chandran/BT

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