

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36108 of 2017

Arising Out of PS.Case No. -87 Year- 2015 Thana -DUMRIAGHAT District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Pratima Devi, wife of Shri Shankar Jaiswal, resident of Village-Asogi, P.S.-Bairgania, District-Sitamarhi.
 2. Shankar Jaiswal, Son of Late Suraj Ram Choudhary, resident of Village-Asogi, P.S.-Bairgania, District-Sitamarhi.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sanjay Kumar, Advocate.

For the Opposite Party : Mr. Sanjay Kumar Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-08-2017 Heard learned counsels for the petitioners, informant and
learned counsel for the State.

The petitioners are languishing in custody since 05.06.2017 in connection with Dumariaghat P.S. Case No. 87/2015 for the offences instituted under Sections 498(A), 270, 370, 328 of the IPC. Subsequently, Sections 302, 304(B) of the IPC and 3 of the Domestic Violence Act were also added.

The prosecution story, in brief, is that the accused persons including the petitioners killed the informant due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioners that the



petitioners are in custody since 05.06.2017. They have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. They have falsely been implicated in the present case. The case was instituted for an offence under Section 498(A) and other allied Sections of the I.P.C., in which the petitioners were granted regular bail by the court below itself. Subsequently, Sections 302, 304(B) of the I.P.C. and 3 of the Domestic Violence Act were added in the present case and for the said reason the bail granted to the petitioners by the court below was cancelled. Thereafter, the petitioners again surrendered before the court below which gives rise to the present case. The petitioner no. 1 is the mother-in-law and petitioner no. 2 is the father-in-law of the deceased. They are separate in mess and property from the husband of the deceased. The husband of the deceased is in custody.

On behalf of the learned counsels for the informant and the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., East



Champanan at Motihari, in connection with Dumariaghat P.S. Case
No. 87/15.

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(Sudhir Singh, J)

