

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14804 of 2017

Arising Out of PS.Case No. -68 Year- 2016 Thana -MADHEPUR District- MADHUBANI

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1. Rinku Devi, W/o Vidyanand Jha,
 2. Vidyanand Jha, Son of Lalan Jha,
 3. Anmol Devi @ Anmola Devi, Wife of Makhan Das, 1 to 3 resident of Village- Bhakhrain, PS- Madhepur, District- Madhubani.
 4. Ranjan Kumar Jha, Son of Babukant Jha, Resident of Village- Ekar, PS+District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

Mr. Pratyush

For the Opposite Party/s : Mr. Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-05-2017 Heard the parties.

The petitioners are apprehending their arrest in connection with Madhepur P.S.Case No.68 of 2016, registered for offences punishable under Sections 304 and 34 of the Indian Penal Code.

Petitioner no.1 is '*Gotani*' (sister-in-law), petitioner no.2 is '*Bhaisur*' (brother-in-law) & petitioner no.3 is mother-in-law of the deceased and petitioner no.4 is son of the sister of petitioner no.1. The case is under Section 304(B) of the Indian Penal Code.

It is submitted on behalf of the petitioners that even according to the F.I.R., there is general and omnibus allegation against the petitioners of demand of dowry and cruelty against the deceased.

So far petitioner no.3 and 4 are concerned, they are direct relatives of the deceased, as such the allegation about demand of



dowry against them does not appear to be probable and further the F.I.R. itself shows that she was brought back to her '*Sasural*' and the deceased died at her '*Sasural*'. Further, there is nothing mentioned in the F.I.R. about their presence on the date of occurrence.

Heard learned A.P.P., who has opposed the prayer for bail.

Having heard both sides and in view of allegation, which is general and omnibus, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M. 1st, Madhubani, in connection with Madhepur P.S.Case No.68 of 2016 dated 10.10.2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the police and if any serious material comes during the course of investigation, the prosecution will be at liberty to move for cancellation of the bail bond of the petitioners.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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