

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9918 of 2017

Arising Out of PS.Case No. -282 Year- 2016 Thana -GARAUL District- VAISHALI(HAJIPUR)

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1. Urmila Devi, wife of Ram Ishwar Das,
2. Ram Ishwar Das, son of Late Raghubir Das,
3. Wakil Das, son of Ram Ishwar Das, All residents of Village- Laxmi Narayanpur, P.S.- Goraul, District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-03-2017 Heard the parties.

This application has been filed in connection with Goraul P.S.Case No.282 of 2016 for the offence under Sections 304-B, 201, 34 of the Indian Penal Code.

It is submitted on behalf of the petitioners that Section 302 of the Cr.P.C. is not applicable, as admittedly the marriage has been solemnized in the year, 2004 and the specific allegation of demand of dowry is against the husband and the petitioners are mother-in-law, father-in-law and brother-in-law.

Heard learned A.P.P. also.

Having heard both sides. In view of the fact that marriage was solemnized in the year, 2004 and there is no specific allegation against the petitioners, as they are mother-in-law, father-in-law and brother-in-law, 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 Sub-Divisional Judicial Magistrate, Hajipur, Vaishali in connection with Goraul P.S.Case No.282 of 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 available as and when required by the Police otherwise the prosecution is free to move for cancellation of their bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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