

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 52773 of 2017

Arising Out of PS.Case No. -135 Year- 2017 Thana -TAJPUR District- SAMASTIPUR

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1. Sita Devi, W/o Shrawan Das,
 2. Shrawan Das @ Sarman Das, Son of Ratan Das,
 3. Manti Devi, W/o Ratan Das,
 4. Ratan Das, Son of Upendra Das, All are R/o Village - Madhopur
Digharua, P.S. - Tajpur, District - Samastipur.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Dilip Kumar Roy, Advocate

For the Opposite Party : Mr. Rajeev Nayan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 304B and 201/34 of the Indian Penal Code.

The allegation is under Section 304B of the Indian Penal Code. The victim died leaving behind two children. First aged about 9 years. The husband is already in custody.

Submission of the learned counsel for the petitioners is that presumption of commission of dowry death is not there as the victim died beyond seven years of her marriage and there is general and omnibus allegation against the petitioners, who are relations of the husband.



Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Tajpur Police Station Case No. 135 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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