

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53994 of 2018

Arising Out of PS. Case No.-139 Year-2018 Thana- KHAIRA District- Saran

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1. Manoj Rai,
 2. Sanjay Rai, Both (1 to 2) Sons of Late Luxman Rai,
 3. Champa Devi, Wife of Manoj Rai,
 4. Sarswati Devi, Wife of Sanjay Rai, All (1 to 4) residence of Village- Tatarpur, Police Station- Khaira, District- Saran at Chapra.
 5. Guddu Rai, Son of Subhash Ray, Residence of Village- Kasina, Police Station- Garkha, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Prasad Yadav
For the Opposite Party/s : Mr. Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 26-10-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 302, 201/34 of the Indian Penal Code.

The petitioners are in-laws of daughter of the informant, who died in her matrimonial house after ten years of her marriage.

Allegation is that she was done to death for non-fulfillment of dowry demand and dead body was disposed of in absence of family members of her parental house.

Submission is that there is no eyewitness of the



occurrence rather the victim died of illness, which would be evident from the prescription slip of Sadar Hospital, Chapra at *Annexure 2* which shows that she was suffering from Diarrhoea and was taken to the local hospital from where she was referred to P.M.C.H., Patna but she died during course of movement. After cremation of the dead body, the present false case has been lodged and presumption of dowry death is not there. The parties have entered into compromise, subsequently.

Considering the entire facts aforesaid, 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 learned court below where the case is pending in connection with Khaira Police Station Case No.139 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioners.

(Birendra Kumar, J)

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