

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21380 of 2018

Arising Out of PS. Case No.-374 Year-2017 Thana- HILSA District- Nalanda

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1. Budhan Bind Son of Gainu Jamadar @ Gainu Bind,
 2. Rajiya Devi Wife of Budhan Bind, Resident of -Dhrampur,
Police Station-Chandi District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash

For the Opposite Party/s : Mr. Sri Akbar Ali

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 26-04-2018 Heard the learned counsel for the petitioners,
informant and the State.

The petitioners seek bail in anticipation of their arrest in connection with Hilsa P.S. Case No. 374 of 2017 dated 13.06.2017 instituted for the offences under Sections 304 (B), 201, 120 (B)/34 of the Indian Penal Code.

The petitioners though have been shown in the F.I.R. as distantly related to the family members of the husband of the deceased but in fact they stand in no special relation to the family members of the husband of the deceased. The allegation in the F.I.R. is that the petitioners demanded dowry and non-fulfillment of the same led to the torture and ill-treatment of the deceased.

Learned counsel for the petitioners however has submitted that the petitioners who are husband and wife



were the neighbours of the parents of the deceased who were staying in Chennai and carrying on their livelihood by doing manual work. Under such situation, it has been argued, they cannot be said to be the persons who would have troubled the deceased for non-fulfillment of dowry. It has further been submitted that because of the death under normal circumstances, no post-mortem was held and the dead body was cremated in which the informant and other family members had also participated. However, later, the present case has been lodged.

Be that as it may, considering that the petitioner stand in no special relation to the deceased, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1st, Hilsa, Nalanda in connection with Hilsa P.S. Case No. 374 of 2017 (G.R. Case No. 1268 of 2017) subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

Krishna/-
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