

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35985 of 2018

Arising Out of PS. Case No.-1 Year-2017 Thana- AGIAUN District- Bhojpur

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1. Bhola Sharma, Son of Lalu Sharma @ Lallu Sharma,
 2. Gorakh Sharma, Son of Lalu Sharma @ Lallu Sharma,
 3. Lalu Sharma @ Lallu Sharma, Son of Late Shivmuni Sharma, All are resident of Village- Piro, P.S.- Piro, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ramishwar Sharma, Son of Late Gangadaya Sharma, Resident of Village- Agaioan Bazar, P.S.- Agiaon, Bazar, District- Bhojpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Opposite Party/s : Mr. Sri Amrendra Prasad

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 19-07-2018 Heard the learned counsel for the petitioners and the State.

The petitioners seek bail in anticipation of their arrest in connection with Agiaon (G) P.S. Case No. 01 of 2017 dated 02.01.2017 instituted for the offences under Sections 304 (B) / 34 of the Indian Penal Code.

The petitioners are father-in-law and younger brothers of the husband of the deceased, respectively. The informant is the father of the deceased who has alleged that soon after the



marriage of his daughter with the son of petitioner no. 1, a demand for cow and gold chain was made and which demand was continued till the death of the deceased. On 20.12.2016, it has been alleged that the deceased was killed by burning.

Learned counsel for the petitioner has submitted that an absolutely false case has been lodged against the petitioner in as much as if there was any dowry demand and consequent torture right after the marriage, it ought to have been reported to the police. Investigation papers, it has been argued, reveal that the deceased caught fire and was taken to hospital for treatment. In fact, the informant also has stated that the deceased died during the course of treatment. Independent persons of the area whose statements have been recorded in the case-diary have testified to the fact that the deceased was taken to the hospital. The informant also saw the dead body of the deceased in the hospital. The husband of the deceased is in custody.

Considering the aforesaid facts, the petitioners above-named 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 ACJM-VII, Bhojpur, Ara in connection with Agiaon (G) P.S. Case No. 01 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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