

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.161 of 2018

Arising Out of PS.Case No. -135 Year- 2017 Thana -DHURAIYA District- BANKA

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1. Anil Das, Son of late Paroki @ Govind Das,
2. Mostt. Shila Devi Wife of Late Paroki @ Govind Das,
Both are resident of Village Potiya, P.S. Dhoraiya, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mrs. Indu Kumari Srivastava

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 13-02-2018 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners are languishing in judicial custody since
13.07.2017 in connection with Sessions Trial No. 493/2017,
arising out of Dhoraiya P.S. Case No. 135/2017 for offences
punishable under Sections 304-B/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter was married to one Santosh Das in the year 2014
but due to non-fulfillment of demand of dowry the petitioners
along with husband and other family members have killed his
daughter Rabri Devi.

It has been submitted by the learned counsel for the



petitioners that they are Bhainsur and mother-in-law of the deceased and general and omnibus allegations have been levelled against them. He submits that the husband is already in custody and they undertake to cooperate in the trial on day-to-day basis.

However, learned APP for the State opposes the prayer for bail stating therein that as per the post mortem report the death occurred due to asphyxia by strangulation.

Considering the facts and circumstances and the materials on record as well as the undertaking of the petitioners, let petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-2nd, Banka, in connection with Sessions Trial No. 493/2017, arising out of Dhoraiya P.S. Case No. 135/2017, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioners having sufficient immovable property, who will file an affidavit stating his relationship with the petitioners.
- (2) Petitioners will appear before the learned court below during trial as and when required and failure to appear on



two consecutive dates without assigning any reason will entail cancellation of their bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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