

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4486 of 2018

Arising Out of PS. Case No.-527 Year-2017 Thana- AMARPUR District- Banka

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1. Babita Devi @ Babita Kumari. Wife of Ghanshyam Ray,
 2. Ghanshyam Ray, Son of Late Hari Prasad Ray,
Both resident of Village- English, P.S.- Amarpur, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. Kalyan Shankar

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 20-02-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners seek bail in connection with Amarpur P.S. Case
No. 527/2017 for offences punishable under Sections 304-B/34
of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that
her daughter solemnized love marriage with Rahul Kumar, son
of the petitioners and went to her matrimonial house where she
was tortured for non-fulfillment of demand of dowry and
ultimately killed.

It has been submitted by the learned counsel for the
petitioners that they are innocent and general and omnibus
allegations have been levelled against them. He submits that



petitioners are languishing in judicial custody since 23.10.2017 charge-sheet having been submitted. He further submits that some of the witnesses have stated that the petitioners were not at the place of occurrence at that time, which has been supported by independent witnesses that the deceased was alone in the house.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record and that the husband of the deceased is already in custody and the petitioners are mother-in-law and father-in-law of the deceased, 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 Chief Judicial Magistrate, Banka, in connection with Amarpur P.S. Case No. 527 of 2017, subject to the following conditions :

(i) 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.

(ii) 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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