

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62982 of 2018

Arising Out of PS. Case No.-40 Year-2018 Thana- BARURAJ District- Muzaffarpur

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1. Dinesh Ram, S/o Late Bhujali Ram,
 2. Prabha Devi, W/o Late Bhujali Ram, Both resident of Village- Mahamada Mokari Tola, P.S.- Baruraj, District- Muzaffarpur.
- Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Umeshnand Pandit

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 25-10-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners, who are in custody, seek bail in connection with Baruraj P.S. Case No. 40 of 2018 registered for the offence punishable under Sections 304(B) and 120(B0, 34 of the Indian Penal Code.

Allegation against petitioners is of killing the daughter of the informant by setting her ablaze due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case. Petitioner No. 1 is husband of deceased and he was in Mumbai at the time of incident, this fact is also stated by the informant in her fardbeyan and petitioner No. 2 is mother-in-law of deceased and she is old and ill lady and she separately lives from his son. It has been further submitted that in the postmortem report



doctor has not found any trace of kerosene oil. There is general and omnibus allegation against them. Petitioners have no criminal antecedent and they are in custody since 12.03.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Muzaffarpur, in connection with Baruraj P.S. Case No. 40 of 2018 subject to the conditions that:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioners shall co-operate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel their bail bond.
- (3) If the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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