

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13198 of 2018

Arising Out of PS.Case No. -610 Year- 2017 Thana -PHULWARI District- PATNA

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1. Nibha Kumari, D/o Munarik Rai,
2. Nisha Kumari D/o Munarik Rai,
3. Dipak Kumar S/o Munarik Rai, All R/o Village- Barhmpur, P.S.-
Phulwari Sharif, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-04-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Phulwari Sharif P.S.Case no.610 of 2017, registered for offences punishable under Sections 302, 304(B) and 201/34 of the Indian Penal Code.

Petitioner no.1 and 2 are the unmarried *Nanad* of the deceased and petitioner no.3 is the *Dewar* and the case is of dowry death.

Submission of the learned counsel for the petitioners is that no specific allegation has been attributed against the petitioners and the husband is already in custody.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above , let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Patna in connection with Phulwari Sharif P.S.Case No.610 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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