

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.353 of 2019

Arising Out of PS. Case No.-356 Year-2017 Thana- DHAKA District- East Champaran

1. Surpati Devi, wife of Musafir Rai, aged about 65 years Female
2. Musfir Rai, son of Bagar Rai, aged baout 68 years (M)
Both resident of village-Shyam Bakhari, Police Station- Dhaka, District-
East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Adv.
For the Opposite Party/s : Mr.Sri Bharat Bhushan (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 14-03-2019 Heard learned counsel for petitioners and learned
counsel for the State.

Petitioners, who are in custody, seek bail
registered for the offences punishable under Sections 304(B)/34
of the Indian Penal Code.

Informant who is father of deceased has alleged
that marriage of his daughter was solemnized in the year 2016
in which sufficient gifts and cash were given at the time of
marriage. However, after marriage she was being tortured for
demand of dowry and for non-fulfillment of which she was
killed.

It has been submitted on behalf of the petitioners



that they are innocent and have committed no offence. They have been falsely implicated in this case. Petitioner no. 1 is mother-in-law and petitioner no. 2 is father-in-law of the deceased. Petitioners are living separately with the husband of the deceased and having no connection with any manner. Petitioners are in custody since 23.11.2017.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with Dhaka P.S. Case No. 356 of 2017, subject to conditions:

- (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 properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and their absence on two consecutive dates without sufficient reasons, their bail bond shall be cancelled by the court below.
- (3) If the petitioners tamper 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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