

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5474 of 2019

Arising Out of PS. Case No.-202 Year-2018 Thana- SARAIYA District-
Muzaffarpur

- =====
1. Mala Devi aged about 23 years, Hindu Female, wife of Subodh Mahto
Resident of village-Bhatauna, P.S-Karaja, District-Muzaffarpur
 2. Sumani Kuamri aged about 19 years, Hindu Female, daughter of Laldeo
Mahto, Resident of village-Rupouli, P.S.-Saraiya, District-Muzaffarpur

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Ganesh Prasad Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 31-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehends their arrest for the offences alleged under Sections 304(B)/34 of the Indian Penal Code registered in connection with Saraiya P.S. Case No. 202 of 2018.

3. It is submitted that the petitioners have been falsely implicated and in any event on a bare perusal of the F.I.R., the ingredients of the offence under Section 304(B) of the Indian Penal Code are not fulfilled in the absence of any accusation of demand of dowry. The petitioners are the married sister-in-law and unmarried sister-in-law respectively of the deceased and there is no specific accusation of any nature against them. The petitioners claim clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, in the event of the petitioners' arrest or surrender before the court below within six



weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate Ist (West), Muzaffarpur in connection with Saraiya P.S. Case No. 202 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioners shall be well represented in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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