

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38284 of 2019

Arising Out of PS. Case No.-94 Year-2018 Thana- DALSINGHSARAI District- Samastipur

1. MANOJ SINGH @ MANOJ MAHTO Son of Ramchandra Singh Resident of Village - Mau, P.S.- Ujiyarpur, District- Samastipur According to FIR, Resident of Village - Gospur, P.S.- Dalsingsarai, District- Samastipur
2. Soni Devi Wife of Manoj Singh @ Manoj Mahto Resident of Village - Mau, P.S.- Ujiyarpur, District- Samastipur According to FIR, Resident of Village - Gospur, P.S.- Dalsingsarai, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha
For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 27-06-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 304B/34 IPC registered in connection with Dalsingsarai P.S. Case No. 94 of 2018.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be the brother-in-law and sister respectively of the husband of the deceased. It is submitted that the petitioners are residing separately in village Mau at a distance of about 15 kms. from the village of the deceased and her husband and had no concern with their day-to-day matters. It is submitted that even from the FIR there is no whisper of allegation of demand for dowry and as such the provisions of Section 304B IPC are not made out against the petitioners, who claim clean antecedents.

4. Be that as it may, 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 petitioners 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 ACJM, Dalsingsarai, Samastipur, in connection with Dalsingsarai P.S. Case No. 94 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. That the petitioners shall co-operate 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 petitioner no. 1 shall remain physically present and petitioner no. 2 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)

Chandran/-

U		T	
---	--	---	--

