

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69450 of 2018

Arising Out of PS. Case No.-60 Year-2018 Thana- NALANDA District-
Nalanda

- =====
1. Umesh Pandey, Son of Late Yugeshwar Pandey,
 2. Sonu Pandey, Son of Umesh Pandey,
 3. Munna Pandey, Son of Suresh Pandey,
 4. Manisha Devi, Wife of Sonu Pandey, All resident of Village- Nalanda More,
P.S.- Nalanda, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravinder Kumar, Adv
For the Opposite Party/s : Mr. Mukesh Prasad,APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 07-01-2019 Heard learned counsel for the petitioners and learned APP for the
State.

2. The petitioners apprehend their arrest for the offences alleged
under Sections 304(B)/34 IPC registered in connection with Nalanda
P.S. Case No. 60 of 2018.

3. It is submitted that the petitioners have been falsely implicated.
The petitioner no. 1 is a person of advanced age suffering from various
ailments. Petitioner nos. 2 and 4 are the brother-in-law and his wife
respectively of the deceased who have been residing separately and
had no concern with the deceased and her day-to-day affairs. So also
the petitioner no. 3, who is the cousin brother-in-law of the deceased
and thus remotely related to have any concern in the occurrence. The
husband of the deceased Radha Krishna Pandey has taken into custody



since 24.05.2018. The accusation of demand for dowry has been made in the FIR only against the husband of the deceased and not against the present petitioners and as such the offence alleged under Section 304(B) IPC is not made out.

3. Learned APP assisted by learned counsel for the informant appearing *suo motu* invite reference to paragraphs 31, 32 and 33 of the case diary in which some independent witnesses has stated the involvement of the petitioners in the occurrence.

4. Be that as it may and having regard to the entirety of the facts and circumstances, 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 Chief Judicial Magistrate, Nalanda, in connection with Nalanda P.S. Case No. 60 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. 4 shall be well represented and petitioner nos. 1, 2 and 3 shall remain physically present 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.

Chandran/-

(Vikash Jain, J)

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