

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59787 of 2019

Arising Out of PS. Case No.-153 Year-2019 Thana- KAUWAKOL District- Nawada

1. SANJAY CHOUDHARY Son of Baizal Choudhary Resident of Village - Mandra, P.S.- Kawakole, Dist.- Nawada.
2. Baizal Choudhary Son of Late Chhotan Choudhary Resident of Village - Mandra, P.S.- Kawakole, Dist.- Nawada.
3. Kanchan Devi Wife of Birendra Choudhary Resident of Village - Mandra, P.S.- Kawakole, Dist.- Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad
For the Opposite Party/s : Mr.Rajeev Nayan App

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 21-11-2019 Heard learned counsel for the parties.

Petitioners are apprehending their arrest in connection with Kawaoike P.S.Case No.153 of 2019 , registered for offences punishable under Sections 304(B)/34 of the Indian Penal Code.

Petitioner happens to be brother-in-law, father-in-law and mother-in-law. Case is of dowry death. It is alleged that they have killed the deceased by strangulation.

Submission of the learned counsel for the petitioners is that the marriage was solemnized in the year, 2011 and as such no case is made out under Section 304B of the IPC and moreover no specific allegation has been attributed against the



petitioner and the postmortem report shows that the cause of death could not be ascertained, as such the viscera report has been preserved.

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 learned court below, 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 ACJM, Nawada in connection with Kawalke P.S. Case No.153 of 2019 subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition to co-operate in the investigation..

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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