

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63750 of 2019

Arising Out of PS. Case No.-234 Year-2018 Thana- BHAWANIPUR District- Purnia

1. INDO DEVI wife of Laxman Mallik Resident of Village - Sondiha, P.S.- Bhawanipur (Akbarpur), Distt - Purnea.
2. Laxman Mallik Son of Late Kishun Mallik Resident of Village - Sondiha, P.S.- Bhawanipur (Akbarpur), Distt - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand

For the Opposite Party/s : Ms. Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 24-10-2019 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), 201/34 of the Indian Penal Code registered in connection with Bhawanipur (Akbarpur) P.S. Case No. 234 of 2018.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be parents in-law of the deceased. It is submitted that in any event the ingredients of the offence alleged under Section 304B of the Indian Penal Code are not attracted in the absence of accusation of any demand for dowry. The petitioners are living separately and have no concern with the day-to-day matters of the deceased and her husband. The petitioners 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 SDJM, Purnea in connection with Bhawanipur (Akbarpur) P.S. Case No. 234 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 be well represented in Court on each and every date during trial except as and when directed by the learned Court below to be physically present, and the petitioner no. 2 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.

(Vikash Jain, J)

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