

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63497 of 2019

Arising Out of PS. Case No.-91 Year-2018 Thana- SIDHWALIYA District- Gopalganj

1. Deepak Singh @ Dipak Kumar Singh @ Dipak Singh Son of Late Narayan Singh Resident of Village - Dangsi, P.S.- Sidhwalia, Distt.- Gopalganj.
2. Sangita Devi @ Sangeeta Devi Wife of Deepak Singh @ Dipak Kumar Singh @ Dipak Singh Resident of Village - Dangsi, P.S.- Sidhwalia, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek bail in **Sidhwalia P.S. Case No. 91 of 2018 corresponding to Sessions Trial No. 351 of 2019**, registered for the offence punishable under Sections 304(B) and 34 of the Indian Penal Code and section 3/4 of Dowry Prohibition Act.

Informant alleged that marriage of his daughter was solemnized with one Uttam Singh on 12.03.2018. After marriage, his daughter was subjected to torture for a motorcycle which was being demanded by the accused persons in dowry. On non-fulfillment of demand of dowry, all the accused persons



including these petitioners killed his daughter by pressing her neck on 14.05.2018.

It is submitted by learned counsel appearing on behalf of petitioners that petitioners have falsely been implicated in this case. Petitioner no. 1 is brother-in-law (Bhaisur) and petitioner no. 2 is sister-in-law (Gotni) of the deceased. Husband of the deceased has already been in custody. Petitioners are living separately with the deceased and her husband and they have no concern with the family affairs of deceased. One of the co-accused (mother-in-law) has been granted bail by a Coordinate Bench of this court vide order dated 01.10.2018 passed in Cr. Misc. No. 53701 of 2018. Charge-sheet has already been submitted. Petitioners are in custody since 21.02.2019 having clean antecedent.

Considering the facts aforesaid, the petitioners above-named, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **1st Additional Sessions Judge, Gopalganj** in connection with **Sidhwalia P.S. Case No. 91 of 2018 corresponding to Sessions Trial No. 351 of 2019**, subject to the following conditions:-

(i) The petitioners shall co-operate in the trial and



shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Prabhat Kumar Singh, J)

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