

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63868 of 2018

Arising Out of PS. Case No.-180 Year-2018 Thana- ROHTAS District-
Rohtas

- =====
1. Ramashish Sah Son of Late Dukhi Sao,
 2. Suman Devi, W/o Ajay Sah, Both R/o Village- Khajuri, P.S.- Rohtas, District- Rohtas.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Deovind Kumar Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 24-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 304B/34 of the Indian Penal Code registered in connection with Rohtas P.S. Case No. 180 of 2018.

3. It is submitted that the petitioners who are the father and the second wife of the husband of the deceased, have been falsely implicated as evident from the F.I.R. itself. There is not a whisper or allegation of demand of dowry by the petitioners and as such the ingredients of the offence alleged are not made out against the petitioners, who claim clean antecedents.

4. Learned APP has not pointed out any objective material from the case diary to indicate that there was demand of dowry.

5. Be that as it may, having regard to the entirety of



the facts and circumstances of the case, 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 Sri Vivek Kumar Singh, learned Judicial Magistrate cum Additional Munsif, Dehri, Rohtas in connection with Rohtas P.S. Case No. 180 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 of each of the petitioners shall be their close relative other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioners shall cooperate 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)

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