

(2011) 02 JH CK 0046
In the Jharkhand High Court
Case No : B.A. No. 396 of 2011

Mukteshwar Rajak and Bhagwatia Devi @ Bhagwati Devi APPELLANT
Vs
The State of Jharkhand RESPONDENT

Date of Decision : 24-02-2011

Acts Referred:

Dowry Prohibition Act, 1961 — Section 3 , 4
Penal Code, 1860 (IPC) — Section 304B, 34, 498A

Citation : (2011) 2 JCR 290

Hon'ble Judges : Narendra Nath Tiwari, J

Bench : Single Bench

Judgement

Narendra Nath Tiwari, J.—The Petitioners are accused in the case registered under Sections 304B, 498A and 34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

2. Learned Counsel for the Petitioners submitted that the Petitioners have been falsely implicated in the case; Petitioner No. 1 is fatherinlaw and Petitioner No. 2 is motherinlaw of the deceased; there is general and omnibus allegation against the Petitioners; the Petitioners are men of means and have already two houses; there was no question of demanding any amount from the father of the girl; after marriage, the Petitioners had encouraged the deceased for further studies, she had, thereafter, done B. Ed. and acquired further qualification; the death of the deceased was accidental; after instigation of interested person and deliberation, the first information report was lodged against the Petitioners and other family members after two days; there is no explanation of the said delay; the Petitioners are local permanent residents; there is no chance of their absconding.

3. Learned A.P.P. opposed the Petitioners' prayer for bail and submitted that there are allegations against the Petitioners. However, he has not disputed the factual contentions of learned counsel for the Petitioners.

4. Regard being had to the facts and circumstances of the case, the Petitioners, abovenamed, are directed to be released on bail on furnishing bail bond of Rs.

10,000/ (rupees ten thousand), each, with two sureties of the like amount, each, to the satisfaction of learned Sessions Judge, Dumka in connection with S.C. Case No. 179 of 2010, arising out of Dumka (Masanjore) P.S. Case No. 37 of 2010, corresponding to G.R. No. 417 of 2010.