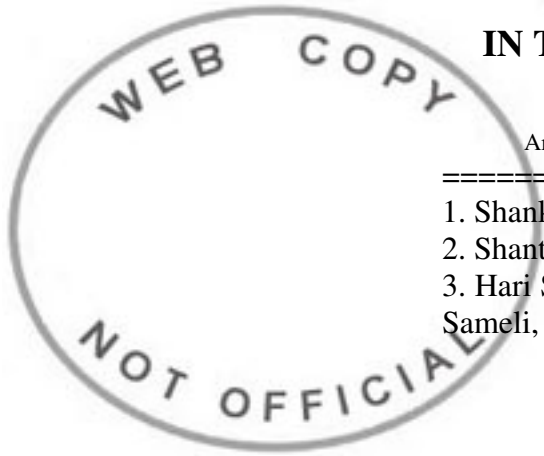




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2008 of 2015

Arising Out of PS.Case No. -128 Year- 2014 Thana -KURSELA District- KATIHAR

- =====
1. Shankar Sah son of Hari Sah @ Harilal Sah
 2. Shanti Devi wife of Hari Sah @ Harilal Sah
 3. Hari Sah @ Harilal Sah son of lae Kokai Sah All are resident of Village - Sameli, P.S. Kursela, District Katihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

with

Criminal Miscellaneous No.8558 of 2015

Arising Out of PS.Case No. -128 Year- 2014 Thana -KURSELA District- KATIHAR

=====

Srawan Kumar Jha @ Srawan Kumar Mishra son of Late Vivekanand Nand Jha resident of village Salempur, P.S. Falka, District - Katihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.2008 of 2015)

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Amit Kr. Rakesh(App)

(In Cr.Misc. No.8558 of 2015)

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Parmanand Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD

ORAL ORDER

3 04-03-2015 Heard learned counsel for the petitioners as well as

learned Additional Public Prosecutor for the State.

These two bail petitions are being heard together and

disposed of by this common order.

In Cr.Misc.No.2008/15 the petitioners are Dewar, mother-in-law and father-in-law of the deceased lady. In Cr.Misc. No.8558 of 2015 the petitioner is a driver of whose car was used for burial of the dead body of the informant.

Learned counsel for the petitioner submits that there is no direct evidence of committing murder because this case is of circumstantial evidence. The marriage solemnized fourteen years back of the victim Meera Devi with Ashok Sah, the son of the petitioners no.2 and 3 of Cr.Misc. No.2008/15. There is allegation that the accused persons killed the informant's daughter and took her on a tempo and buried the victim.

The learned counsel for the State, however, admits that there is no eye witness to the occurrence. The present case hinges on circumstantial evidence and the husband is in custody.

Hence having regard to the fact that there is only material against the driver that the victim was taken for treatment. However, only material against the driver is to conceal the evidence.

Hence, having regard to the facts that the petitioners

are ordered to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the J.M., 1st Class, Katihar, in Kursela P.S. Case no.128/14.

(Gopal Prasad, J)

AnilKrSinha/-

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