

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23351 of 2015

Arising Out of PS.Case No. -132 Year- 2008 Thana -DALSINGHSARAI District- SAMASTIPUR

1. MOHIT YADAV, S/O UPENDRA YADAV .
2. JITENDRA YADAV, S/O UPENDRA YADAV, BOTH RESIDENT OF
VILLAGE MALPUR, P.S. DALSINGHSARAI, DISTRICT
SAMASTIPUR.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

Appearance :

For the Petitioner/s : Mr. Sujit Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kumar (App)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 01-10-2015 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners are accused in connection with
Dalsinghsarai P.S. Case No. 132 of 2008 registered under Sections
304B and 201/34 of the Indian Penal Code.

The accusation is of killing of deceased, Babita
Devi, daughter of informant, due to non-fulfillment of demand of
Rs.1 lac to purchase the Teller of Tractor by her husband and in-
laws by setting on fire. When the informant sent her relative the
in-laws of daughter informed that her daughter died due to snake
biting and her dead body has been disposed of.

Learned counsel for the petitioners submits that the

date of occurrence has not mentioned in the F.I.R., in fact, due to snake biting on 03.06.2008 daughter of informant died, informant and others participated in her last funeral ceremony but due to ulterior motive after two days of the occurrence this false case has been lodged. It is further submitted that petitioner nos. 1 and 2 are respectively the brother-in-law and husband of the deceased and are in custody since 20.02.2015.

Having regard to the facts and the circumstances of the case, the petitioner no.1 above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Samastipur, in connection with Dalsinghsarai P.S. Case No. 132 of 2008.

The prayer for bail of petitioner no. 2, who is the husband of the deceased, is hereby rejected.

(Rajendra Kumar Mishra, J)

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