

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28636 of 2015

Arising Out of PS.Case No. -107 Year- 2014 Thana -RAMGARHWA District-
EASTCHAMPARAN(MOTIHARI)

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Roma Devi W/O Late Shivbandhu Yadav, D/O Mahendra Rai resident of
village Pokhariya, P.S. Adapur, District - East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ansul, Advocate.

For the Opposite Party : Mr. Umanath Mishra(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 06-08-2015 Heard both sides.

The petitioner seeks bail in a case registered for the offences punishable under Section 302 and other Sections of the Indian Penal Code.

The petitioner is the wife of the deceased. The father of the deceased stated that the deceased, his father-in-law and wife left the house in the wee hours, but after sometimes the dead body of the deceased was found lying on the track.

It is submitted that there is no eye witness of the occurrence. The inquest report shows that the deceased died due to fall from the running train. The post-mortem report also indicates that the deceased got injury by some heavy hard and blunt object. The father-in-law of the deceased had already been granted bail.

On the other hand, learned counsel for the informant as well as the learned APP vehemently opposed the prayer for bail and submitted that the petitioner filed petition in the court that she was driven out from the house after being assaulted by her husband.

It appears that there is no eye witness of the occurrence. Of course, the petitioner along with her husband and father left the house to go to the house of in-laws of the deceased, but the dead body of the deceased was found on the railway track. Considering the facts aforesaid and the fact that the petitioner is lady, she above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in Ramgarhwa P.S. Case No. 107 of 2014.

(Prabhat Kumar Jha, J.)

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