

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15759 of 2015

Arising Out of PS.Case No. -79 Year- 2014 Thana -PRATAPGANJ District- SUPAUL

- =====
1. Jaibhadra Devi wife of Hariballabh Jha
 2. Bidun Jha @ Mritunjay Jha @ Mritunjay Kumar Jha son of Hariballabh Jha Both residents of village - Araraha, P.S. Pratapganj, District - Supaul.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Rakesh Kumar Jha
For the Opposite Party : Mr. Anita Kri.Singh(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-05-2015

Heard learned counsels for the petitioners

and the State.

Petitioners being mother and younger brother of the victim Sanjeev Kumar Jha are apprehending their arrest in a case registered for the offences punishable under Sections 306/34 of the Indian Penal Code.

It is alleged by the mother-in-law of the victim Sanjeev Kumar Jha that her daughter Pinki Kumari had performed love marriage with the victim Sanjeev Kumar Jha at about five years prior to the occurrence, but the same was not liked by the in-laws family of her daughter and newly wedded couple were not allowed to enter into the matrimonial house. On 15.10.2014 the daughter and son-in-law of the informant were assaulted, driven out from the matrimonial house and due to the torturous attitude the daughter and son-in-law of the

informant consumed poison.

It is submitted by learned counsel for the petitioners that accusation does not get corroborated with the postmortem report as the postmortem report does not suggest any internal or external injury though the viscera has been preserved. Moreover, as per the own admission of the informant, she is not the eye witness of either the occurrence of assault or consumption of poison.

Considering the suspicious nature of accusation, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Birpur, Supaul in connection with Pratapganj P.S. Case No. 79 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

U		T	
---	--	---	--