

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22572 of 2015

Arising Out of PS.Case No. -44 Year- 2015 Thana -VAISHALI District- VAISHALI(HAJIPUR)

- =====
1. Punam Devi W/o Uday Shankar singh resident of Village- Husena Raghav, P.s- Vaishali, District Vaishali
 2. Chandeshwar Choudhary Son of late Nathuni Choudhari resident of Village- Khari, P.s- Paru, District Muzaffarpur.
 3. Pintu Singh@Uday shankar Singh S/o - Lav Kush singh resident of Village- Husena Raghav, P.s Vaishali, District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niraj Kumar

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 18-09-2015 Heard learned counsel for the petitioners and learned counsel for the State.

In this application for anticipatory bail the petitioners apprehend their arrest for the offences punishable under Sections 302/34 of the Indian Penal Code.

Allegedly Salni Kumari aged about 11 months, the daughter of the informant was assaulted by the petitioners resulting she became unconscious and during treatment she died.

Submission is of false implication and due to land dispute they have been implicated in this false case. The daughter of the informant died natural death. In inquest and postmortem

report, no external injury has been found and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. fairly submits that no injury has been found either in the inquest report or in the postmortem report but opinion has been reserved till the chemical analysis report.

In the facts and circumstances stated above, considering that neither the police officer, who conducted the inquest proceeding nor the doctor, who conducted postmortem examination, found any external injury on the person of deceased and as such the petitioners in case of their surrender or arrest within two months from the date of receipt or production of the order they shall be released on bail on execution of 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, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 44 of 2015 subject to the conditions as laid down in Section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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