

IN THE HIGH COURT OF JUDICATURE AT PATNA  
Criminal Miscellaneous No.25881 of 2015

Arising Out of PS.Case No. -562 Year- 2014 Thana -TURKAULIYA District-  
EASTCHAMPARAN(MOTIHARI)

1. Lalbabu Prasad @ Lal Babu Kumar, son of Ramchandra Prasad, resident  
of village- Semuapur, P.S.- Dumariyaghat, District- East Champaran.

.... .. Petitioner/s

Versus

1. The State of Bihar

.... .. Opposite Party/s

with

Criminal Miscellaneous No.27173 of 2015

Arising Out of PS.Case No. -562 Year- 2014 Thana -TURKAULIYA District-  
EASTCHAMPARAN(MOTIHARI)

1. Ilaychi Devi Wife of Mangal Prasad  
2. Mangal Prasad Son of Late Khublal Prasad Both residents of village -  
Narigharwa, Panchayat - Belwa Rai, P.S. Turkauliya, District - East  
Champaran

.... .. Petitioner/s

Versus

1. The State of Bihar

.... .. Opposite Party/s

Appearance :  
(In Cr.Misc. No.25881 of 2015)  
For the Petitioner/s : Mr. Binod Kumar Singh  
For the Opposite Party/s : Mr. Manoj Kumar 1(App)  
(In Cr.Misc. No.27173 of 2015)  
For the Petitioner/s : Mr. Binod Kumar Singh  
For the Opposite Party/s : Mr. Manoj Kumar No.1(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR  
SRIVASTAVA  
ORAL ORDER

02/ 27.07.2015 Both the above stated petitions arise out of  
Turkauliya P.S. Case no. 562/2014 registered under sections  
304B, 201 and 120B/34 of the Indian Penal Code in which  
petitioners apprehend their arrest and accordingly, both the

above stated petitions are being disposed of by this common order.

Heard learned counsel for the petitioners as well as learned Addl. Public Prosecutor for the State.

It is surprising enough that case has been registered under sections 304B, 201 and 120B/34 of the Indian Penal Code, particularly, in the circumstance, when it is the specific case of the informant that marriage of the deceased had taken place in the year 2000 and she died in the year 2014. Most painful thing is that learned court below has also not taken note of the aforesaid fact and flatly, rejected petition filed on behalf of the petitioners under section 438 of the Cr.P.C.

However, petitioner in Cr. Misc. no. 25881/2015 happens to be **Mamera** brother of husband of the deceased whereas petitioners in Cr. Misc. no. 27173/2015 are parents-in-law of the deceased.

The contention on behalf of the petitioners is that the deceased died due to cardiac arrest and before her death, she was taken to Rahmania Medical center for treatment. It is also pointed out on behalf of the petitioners that co-accused Suresh Prasad and two others having more or less similar allegation have already been admitted to anticipatory bail by a coordinate bench of this court.

Accordingly, it is ordered that in the event of arrest/surrender within four weeks from the date of receipt of this order to the concerned court, let the above named petitioners be



released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran at Motihari in Turkauliya P.S. Case no. 562/2014 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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