

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38303 of 2015

Arising Out of PS.Case No. -58 Year- 2014 Thana -UJIYARPUR District- SAMASTIPUR

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1. Rajkumari Devi wife of jagdish Rai Resident of village Laknipur Hameshpatti, P.s Ujiarpur, District Samastipur.
 2. Rekha Devi wife of Harischandra Rai Resident of Vilalge- Bhagwanpur Desua, P.s Ujjiarpur, district Samastipur.
 3. Babita Devi wife of Vijay Rai Resident of Village- Desua tola ,Bhola Tole, P.s Ujiarpur, district Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sachin Kumar

For the Opposite Party/s : Mr. Harendra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 24-09-2015 At the outset, it is submitted by learned counsel for the petitioners that petitioner no.1 Rajkumari Devi has died hence seeks permission to withdraw the application on her behalf. Hence, this application so far as it relates to petitioner no.1, is dismissed as withdrawn.

Heard learned counsels for the petitioners and the State.

The petitioner nos. 2 and 3 being sisters in law of the victim are apprehending arrest in a case registered for the offences punishable under Sections 302 and 328/34 of the Indian Penal Code.

The prosecution case is that the sister of the informant was killed after 11 years of marriage by administering poison.

It is submitted by the learned counsel for the petitioners that petitioner nos. 2 and 3 are married sisters of the husband of the victim and they reside at their in-laws' house. It is further submitted that the informant retracted from the initial version. The husband of the victim and others faced trial but since the accusation was not supported by the witnesses including the informant, they have been acquitted vide judgment dated 25.7.2015 passed in S.T. No. 410 of 2014 by the learned Sessions Judge, Samastipur. The same has been brought on record as Annexure 3.

Considering the aforesaid facts, let the above named petitioner nos. 2 and 3 be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned SDJM, Dalsinghsarai, Samastipur in connection with Ujiarpur P.S. Case No.58 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The learned court below shall be at liberty to cancel the bail bonds of the petitioner nos. 2 and 3 in case they default without any reasonable cause on three consecutive occasions.



(Dinesh Kumar Singh, J)

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