

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 47336 of 2014

Arising Out of PS.Case No. -150 Year- 2014 Thana -SUGAULI District- EAST CHAMPARAN
(MOTIHARI)

- =====
1. Santosh Sah son of Ramji Sah
 2. Lilawati Devi wife of Ramji Sah
- Both are residents of village - Bhoj Mahara, P.S. - Sugauli, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

2 23-04-2015 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

The petitioners apprehend arrest in Sugauli
P.S. Case No. 150 of 2014 dated 28.05.2014 instituted under
Sections 302/201/120B of the Indian Penal Code.

Learned counsel for the petitioners submits
that the petitioner no. 1 is the brother of the wife of the
deceased and petitioner no. 2 is the mother-in-law of the
deceased. It is submitted that though the body has been
recovered in the field and not from the house of the petitioners,
they have been falsely implicated. It is submitted that the
informant, who is the uncle of the deceased, has sold some
land and because the deceased was the only son of his father,
in order to grab the property, he has been killed by the

informant himself which would be obvious from the fact that before recovery of the body it has been mentioned in the F.I.R. that the accused had strangled the deceased and hid the body, which fact could not have been known to the informant at that point of time. It is further submitted that there could be no reason for the petitioners to kill their brother-in-law/son-in-law and make the sister/daughter a widow and the nephew/grandson an orphan. It is submitted that the petitioners having no criminal antecedent.

Learned A.P.P. opposes the prayer for anticipatory bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Motihari in Sugauli P.S. Case No. 150 of 2014, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J.)

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