

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37367 of 2014

Arising Out of PS.Case No. -675 Year- 2013 Thana -BETTIAH TOWN District-
 WESTCHAMPARAN(BETTIAH)

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Sushila Devi & Ors.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv

For the Opposite Party/s : Mr. Sanjay Kumar Pandey (APP)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
 ORAL ORDER

3 21-04-2015

Learned counsel for the petitioner submits that

petitioner no.4, namely, Yodolal Sah has died and on account thereof, the instant petition has become infructuous and is accordingly, held so.

Heard learned counsel for the petitioner as well as learned APP for the State.

Deceased, who was daughter of informant and was married to Pradeep Sah about 9 years ago, had died at her Sasural and for that, instant case has been registered.

From the order impugned, it is evident that petitioners were not sent up for trial after concluding the investigation, on the other hand, the husband, Pradeep Sah was sent up for abetment of suicide under Section 306 of the IPC, however, differing therefrom, the learned Chief Judicial Magistrate took cognizance of offence punishable under Section 302/34 of the IPC as well as also summoned the petitioners along with Pradeep Sah, the

husband to face trial. It is also apparent from the order impugned that husband Pradeep, who was in custody, has already been granted bail vide Cr.Misc.No. 13986/2014. It is also apparent therefrom that daughter of deceased, namely, Nikta was examined by the Investigating Officer and her statement recorded under Section 161 Cr.P.C. wherein she had stated that on a trivial issue, the couple fought and on account thereof, after bolting the door from inside, her mother committed suicide.

In the aforesaid facts and circumstances of the case, petitioners, namely, Sushila Devi, Chanda Kumari, Nelam Kumari and Deepak Kumar, in the event of their arrest/surrender within four weeks, are directed to be released on bail on furnishing bail bond of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Sri S.K. Rai, Judicial Magistrate-1st Class, Bettiah, West Champaran/successor in the office in connection with Bettiah (Town) PS Case No. 675 of 2013, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Aditya Kumar Trivedi, J)

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