

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16523 of 2015

Arising Out of PS.Case No. -304 Year- 2014 Thana -DEEPNAGAR District- NALANDA
(BIHARSHARIFF)

- =====
- 1. Kapil Malakar S/o Late Hari Malakar
 - 2. Ruby Devi W/o Late Radhey Malakar and D/o Kapil Malakar Both residents of village - Oknama, P.S. Deepnagar, District - Nalanda.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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WITH

Criminal Miscellaneous No.21732 of 2015

Arising Out of PS.Case No. -304 Year- 2014 Thana -DEEPNAGAR District- NALANDA
(BIHARSHARIFF)

- =====
- 1. Mohan Malakar Son of Late Hari Malakar resident of village - Oknama, P.S. Deepnagar, Distt. - Nalanda

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In Cr.Misc. No.16523 of 2015)

- For the Petitioners : Mr. Raj Bansh Dubey, Advocate.
- For the informant : Mr. Umesh Kumar Verma, Advocate.
- For the Opposite Party/s : Mr. Anil Kumar Singh (App)

(In Cr.Misc. No.21732 of 2015)

- For the Petitioner : Mr. Sudish Kumar, Advocate.
- For the informant : Mr. Umesh Kumar Verma, Advocate
- For the State : Mr. Arun Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

3 11-08-2015 Heard learned counsel for the petitioners and learned counsel for the State.

Two bail petitions are being heard together and disposed of by common order as two cases arise in connection with Deepnagar P.S. Case No. 304 of 2014 registered under Sections

302, 201 and 120(B) of Indian Penal Code.

The petitioners in Cr. Misc. No. 16523 of 2015 are father-in-law and wife of the victim and the petitioner in Cr.Misc. No. 21732 of 2015 is cousin father-in-law of the victim. There is allegation that victim was called by his wife and he was done to death in his Sasural.

Learned counsel for the petitioners submits that there is no eye witness to the occurrence that victim had reached at Sasural. However, only material against these petitioners is that a pant of deceased was recovered from the house of the petitioners. However, when the deceased is son-in-law, finding of the pant of the deceased cannot be incriminating circumstance.

Having regard to the facts and circumstances of the case, the above named petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Deepnagar P.S. Case No. 304 of 2014.

m.p.

(Gopal Prasad, J)

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