

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42245 of 2015

Arising Out of PS.Case No. -90 Year- 2015 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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1. Mithilesh Choudhary
2. Soshan Choudhary Both are sons of Baiju Choudhary Both are
Residents of Village - Baghwara, P.S. Muffasil, District - Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Arun Kr. Panday (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-11-2015 Heard learned counsel for the petitioners and the State.

The petitioners seek bail in a case instituted under Sections 147, 149, 448, 342, 324, 326, 307 and 504 of the Indian Penal Code.

Allegation against the petitioners is that they assaulted and burnt daughter (Mintu Devi) and grand-daughter (Resham Kumari) of the informant after spraying kerosene oil on their bodies. Later on, they died.

It has been submitted on behalf of the petitioners that petitioner no. 1 is in custody since 30.6.2015 and petitioner no. 2 is in custody since 15.6.2015. Chargesheet has been submitted in the present case under Section 306 of the Indian Penal Code. There is no allegation of tampering of evidence against the petitioners. From perusal of paras-9, 10, 11, 24 and 25 of the case diary it is evident that both the deceased (mother, namely, Mintu Devi and daughter, namely, Resham Kumari) had been quarrelling for the whole night and subsequently they put fire on their own in

the morning and succumbed to the injuries in course of treatment. As far as petitioners are concerned, they are Bhaishurs of the deceased Mintu Devi. They are separate from mess and property of the husband of the deceased, Mintu Devi.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Muffasil P.S. Case no. 90 of 2015.

(Sudhir Singh, J)

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