

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30139 of 2014

Arising Out of PS.Case No. -55 Year- 2013 Thana -RAGHOPUR District- SUPAUL

- =====
1. Yasoda Devi &
 2. Puspa Devi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Jha

For the Opposite Party/s : Mr. Navin Kr.Pandey(App)

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CORAM: HONOURABLE SHRI JUSTICE DHARNIDHAR JHA
ORAL ORDER

2 14-01-2015 Heard.

The petitioner Yasoda Devi is the mother-in-law of the deceased Manju Devi and petitioner no.2 Puspa Devi is the Gotani of the deceased.

It has been concluded by the police after investigation that the case as against two petitioners, namely, Yasoda Devi and Puspa Devi was not true as there was lack of evidence. This report was submitted while filing the final report in the case bearing no.66 of 2013, a copy of which has been placed on the present petition as Annexure-2. The submission is that in spite of the petitioner having not been sent up by the police in lack of evidence, the learned Magistrate had perused the case diary and had summoned the petitioners without citing any particular material justifying his order. By producing a copy of the order

dated 07.01.2015 passed by a Bench of the Court in Cr.Misc.No.34563 of 2014 in which it was held by the said Bench of the Court that it was a case of suicide in the matrimonial home and only material was of disposing of the dead body without information, it was submitted that even assuming that the dead body was disposed of without information, it may not be constituting an offence.

Regard being had to the facts and submissions noticed above, let the above named two petitioners be released on anticipatory bail either in the event of their arrest by the police or surrender in the court below on execution of a bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of SDJM, Birpur in connection with Raghopur P.S.Case No.55 of 2013 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dharnidhar Jha, J)

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