

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30810 of 2014

Arising Out of PS.Case No. -33 Year- 2013 Thana -NAUTAN District- SIWAN

1. Chandan Gupta, S/o Ramchandra Gupta
2. Suryamukhi Devi, W/o Ramchandra Prasad Ramchandra Gupta
Both are Residents of village and P.S.- Nautan, District- Siwan

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Dubey, Adv.
For the Opposite Party/s : Mr. H.A.Khan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 30-01-2015 Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners, apprehending their arrest in connection with Nautan P.S. Case No. 33 of 2013 registered for the offences punishable under Section 302/34 of the Indian Penal Code, seek the privilege of pre-arrest bail.

Allegedly, after receiving information from the son-in-law, the informant went in Siwan Hospital and saw her daughter dead and, accordingly, it has been alleged that the accused persons including the petitioners after committing murder has brought the dead body in Siwan Hospital.

Submission is that the deceased was residing at Siwan with her husband, where her husband has been practising as

Doctor and the deceased was a student of Ayurvedic Medical College. The petitioners have got no concern with their any affairs and the deceased was brought for her treatment at Siwan and then she died. Knowing the reality, the informant has filed petition showing innocence of the petitioners and husband. The compromise petition has also been filed.

The learned A.P.P. opposes the prayer of pre-arrest bail by submitting that Aluminum Phosphate was detected in the Forensic Science Laboratory Test.

In the facts and circumstances as stated above, considering that the petitioners are Devar and mother-in-law and they are claiming that they were living separately and as such, the petitioners, in case of their arrest or surrender within two months from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Nautan P.S. Case No. 33 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J.)

Vats/-

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