

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16786 of 2015

Arising Out of PS.Case No. -128 Year- 2005 Thana -BELHAR District- BANKA

- =====
1. UTTAM THAKUR &
 2. ANITA DEVI WIFE OF UTTAM THAKUR, RESIDENT OF TARI MAJHIGAIN,
POLICE STATION BOLHAR DISTRICT BANKA. Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajib Ranjan Jha

For the Opposite Party/s : Mr. Indu Kumari Srivastava(App)

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**

ORAL ORDER

2 13-04-2015 Heard learned counsel for the petitioners and the other side.

The petitioners, who are father-in-law and mother-in-law of the deceased Bipin Thakur, apprehend arrest in a case under sections 328, 302 and 120B of the Indian Penal Code on the allegations that they administered poison in the wine of Bipin Thakur when he had gone to his in-laws house along with his companion to take back his wife.

Learned counsel for the petitioners submit that there is no eye witness to the occurrence.

Learned Addl.P.P. states that from perusal of the impugned order it is apparent that the informant in his restatement has supported the prosecution case and petitioners were absconding.

Taking into account that petitioner no.2 is a woman and

other attending facts, in the event of arrest/surrender, let her as mentioned above be released on bail on furnishing bail bond of Rs.5,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka in Belhar Police station Case No. 128 of 2005, GR No. 1142 of 2005).

Prayer for bail of petitioner no.1 is refused with direction to surrender immediately and seek regular bail which would be disposed of on its own merits without prejudice.

Shashi.

(Samarendra Pratap Singh, J)

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