

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27593 of 2015

Arising Out of PS.Case No. -281 Year- 2014 Thana -PURNEA SADAR District- PURNIA

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1. Md. Mustakim @ Md. Mustaqeem S/o Late Md. Gani
2. Md. Salam @ Salam S/o Late Md. Gani Both R/o Village Damka, Gulab
Bagh, Zero Mile, P.S. Sadar, District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Dr.Rabindra Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-09-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 323, 324, 341, 498A, 307/34 of the Indian Penal Code, Section 302 IPC has been added later on and Section 3 / 4 of D.P.Act.

The allegation against the petitioners is of killing the daughter of the informant after sprinkling kerosene oil and setting her on fire for non fulfillment of additional demand of dowry.

It has been submitted on behalf of the petitioners that petitioner no.1 is Bhaisoor and petitioner no.2 is the Devar of the deceased. The petitioners have got no criminal antecedent. The date of occurrence is 24.04.2014 but the present case was instituted on 05.06.2014, after a period of thirty nine days. For

this delay, no explanation has been made on behalf of the prosecution. The petitioners have been made accused due to mistake of fact. The petitioners are separate from mess and property of the husband of the deceased. The husband of the deceased is in jail custody.

On behalf of the State it has been submitted that the petitioners are named in the FIR.

Considering the aforesaid facts, let the above named petitioners, in the event of their arrest or surrender in the court below within a period of four weeks, 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 learned C.J.M., Purnea in connection with Sadar P.S.Case No. 281 of 2014, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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