

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45865 of 2014

Arising Out of PS.Case No. -129 Year- 2014 Thana -SARAI District- VAISHALI(HAJIPUR)

- =====
1. Lakhendra Sah son of Late Jawahar Sah
 2. Soni Devi wife of Lakhindar Sah Both residents of Village Manjhauli Mohammadpur Buzurg Maricha, P.S. Sarai, District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rama Kant Sharma, Sr. Advocate
Mr. Lakshmi Kant Sharma

For the Opposite Party/s : Mr. Raj Ballabh Singh(App)

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

3 25-05-2015 The petitioners apprehend arrest in relation to Sarai P.S. Case No. 129 of 2014 instituted under section 304-B/34 of the Indian Penal Code.

Petitioners are father-in-law and mother-in-law of the victim lady.

Mr. Rama Kant Sharma, learned counsel for the petitioners, points out that the cause of death is asphyxia caused by blunt flexible substance which is apparent from the post mortem report Annexure- 2. Therefore, it cannot be a case under section 304-B rather it will be a case under section 306 of the Indian Penal Code. It is further submitted that the girl, in fact, could not get over her pre-marital affair and could not reconcile to

the marriage. He submits that it is not known where the husband is.

Be that as it may, on the petitioners' assuring that their son surrenders to judicial custody, in the event of arrest or surrender of the petitioners within four weeks from today, the petitioners above named shall be released on bail on furnishing bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur in connection with Sarai P.S. Case No. 129 of 2014 subject to all the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Navaniti Prasad Singh, J)

Amin/-

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