

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32624 of 2013

Arising Out of PS.Case No. -127 Year- 2013 Thana -TAJPUR District- SAMASTIPUR

=====

1. Lakshmi Roy, Son Of Nirdhan Roy
2. Sita Devi Wife Of Lakshmi Roy
Both are resident of Village-Morwa Anandpur, P.S.-Tajpur, District-Samastipur

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar 1 (App)

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

3 09-04-2015

The petitioners figured as accused in Tajpur P.S.

Case No.127 of 2013 registered for the offences punishable under Sections 302, 201 read with 34 of the Indian Penal Code. Apprehending their arrest, the petitioners filed ABP No.938 of 2013 before the Sessions Judge, Samastipur. The same was rejected on 18.07.2013. Hence, this application for grant of anticipatory bail under Section 438 Cr. P.C.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

It is no doubt true that the allegation against the petitioners is referable to Section 302 read with Section 34 of the Indian Penal Code. The fact, however, remains that the deceased is none other than the son of the petitioners, and the

complainant is the daughter-in-law. It is stated that the daughter-in-law has withdrawn her statement at a later point of time.

Hence, the application is allowed. In the event of arrest, the petitioners are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Tajpur P.S. Case No.127 of 2013.

(L. Narasimha Reddy, CJ)

Sunil/-

U		T	
---	--	---	--