

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31542 of 2015

Arising Out of PS.Case No. -34 Year- 2015 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

- =====
1. Amaniya Devi, wife of Late Ajay Choudhary,
 2. Pinki Devi, D/o of Late Ajay Choudhary,
 3. Sunil Choudhary, S/o Late Ajay Choudhary,
 4. Santosh Choudhary, S/o Jaglal Choudhary,
 5. Sikander Choudhary, S/o Late Kailu Choudhary, All resident of Village/
Mohalla- Saidalli, P.S.- Rahui, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar
For the Opposite Party/s : Mr. Shardanand Jha(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 15-10-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners being the wife and in-laws
apprehending their arrest in connection with Rahui P.S. Case No.
34 of 2015 registered for the offences punishable under Sections
302, 201the Indian Penal Code.

Earlier case diary of the present case was called for
which has since been received.

Learned counsel for the petitioners submits that though
there is an allegation against the petitioner of having
disappearance of the son of the informant, however, there is no



cogent material on record so as to prove that infact, the deceased had disappeared from the house of this petitioners. It is further submitted that the petitioner no. 2 is the wife of the alleged deceased and the deceased having cordial relation with her. It is further submitted that whatever may have been the reason, the same may be on account of the fact that there was dispute between them rather the alleged husband of petitioner no. 2 had left the house on account of petty quarrels. The other family members and his wife have been living separately at Biharsharif. It is further submitted that though the informant came to know that the said Karu Choudhary was found traceless since 2.02.2015 itself for no reason whatsoever, the FIR in the present case was lodged after five days and no plausible explanation has been offered for explaining the delay.

Learned counsel for the State after perusal of the case diary submits that the entire allegations are not distinct as it appears from the case diary that various people had given different versions and that too are based on conjecture and surmises.

Considering the aforesaid submissions and also the fact that petitioners have no criminal antecedent, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of

receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Rahui P.S. Case No. 34 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C..

(Anjana Mishra, J)

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