

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48200 of 2014

Arising Out of PS.Case No. -106 Year- 2014 Thana -PARSAUNI District- SITAMARHI

Upendra Sah, Son of Kailash Sah, resident of Village-Gisara Tole Mushari,
P.S.-Parsauni, District-Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.851 of 2015

Arising Out of PS.Case No. -null Year- null Thana -null District- SITAMARHI

1. Ram Pari Devi @ Seeta Devi, Wife of Kailash Sah.
2. Urmila Devi @ Urmilla Devi, Wife of Upendra Sah.
3. Kailash Sah, Son of Mushar Sah.
All resident of Village-Gisara, Tole-Mushari, P.S.-Parsauni, District-Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.48200 of 2014)

For the Petitioner/s : Mr. Virendra Kumar, Advocate
For the Informant : Mr. Ajay Kumar Verma, Advocate
For the Opposite Party/s : Mr. Ram Sewak Choudhary (A.P.P.)

(In Cr.Misc. No.851 of 2015)

For the Petitioner/s : Mr. Dinesh Jha, Advocate
For the Opposite Party/s : Mr. U. L. Verma (A.P.P.)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 23-04-2015 Heard learned counsel for the petitioners,
learned counsel for the informant and learned Additional
Public Prosecutor for the State.

Both the cases arise out of same Parsauni P.S.
Case No. 106 of 2014, instituted for the offences

punishable under Sections 304(B) and 201/34 of the Indian Penal Code.

The petitioner in Cr. Misc. No. 48200 of 2014 is the elder brother of the husband of the deceased, whereas, petitioner no. 1 in Cr. Misc. No. 851 of 2015 is the mother-in-law of the deceased, petitioner no. 2 is the wife of the brother of the husband of the deceased and petitioner no. 3 is the father-in-law of the deceased.

Pursuant to earlier order of this Court, calling for the case diary, the same has been received.

Learned counsel appearing on behalf of the petitioners appears to be right in their submissions that on the basis of materials collected in course of investigation, *prima facie*; no case under Section 304 (B) of the Indian Penal Code is made out. My attention has been drawn to the supervision note of the Deputy Superintendent of Police in this regard. Learned counsel for the petitioners have submitted that the deceased appears to have consumed poison and killed herself, as she was not happy with the marriage with her husband, namely, Shambhu Sah.

In view of the submissions as above, let all the

four petitioners, abovenamed, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Sitamarhi**, in connection with **Parsauni P.S. Case No. 106 of 2014**, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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