

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36960 of 2014

Arising Out of PS.Case No. -91 Year- 2014 Thana -NAYA RAM NAGAR District- MUNGER

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1. Uchit Das Son of Late Chhota Lal Das
2. Biltu Das Son of Late Chhota Lal Das
3. Tilo Das Son of Late Chhota Lal Das
4. Dabloo Das Son of Late Chhota Lal Das
5. Seema Devi Wife of Biltu Das
All are resident of Village-Parham, P.S.-Naya Ram Nagar, District-Munger.
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate.
For the State : Mrs. Sangeeta Sharma, A.P.P.
For the Informant: Mr. Rjeev Ranjan Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 17-04-2015 Heard learned counsel for the petitioners, learned
counsel for the informant and learned A.P.P. for the State.

The petitioners, five in number, seek their bail in
Naya Ram Nagar P.S. Case No. 91 of 2014 under Sections 328,
302/34 of the Indian Penal Code.

The informant, the brother of the deceased Lalan
Kumar, alleged that his brother Lalan Kumar disclosed that his
brother-in-law Uchit Das, Biltu Das, Tilo Das, Seema Devi, wife
of Biltu Das were not providing him food and they were torturing
him. The deceased was wreathing in pain on account of gastritis.
On such, his wife Seema Devi gave him some powder as
medicine. Thereafter, the deceased started vomiting and was

brought to hospital. Learned counsel for the petitioners submits that, of course, there is an allegation that the petitioners were torturing the deceased and they were not providing him food, but the allegation of giving medicine or poison is against Seema Devi, wife of the deceased and none else. Petitioners no. 1 to 4 are the brothers-in-law of the deceased and petitioner no. 5 is the wife of petitioner no. 2.

On the other hand, learned counsel for the informant vehemently opposed the prayer for bail but very candidly submitted that even the deceased himself before his death stated that his wife gave powder like medicine and consequently thereupon the deceased fell ill and died. The FSL report also shows presence of Thimet.

Having considered the facts aforesaid, the petitioners no. 1 to 5, namely, Uchit Das, Biltu Das, Tilo Das, Dabloo Das and Seema Devi are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri A.K. Tripathi, Additional Chief Judicial Magistrate, Munger in Naya Ram Nagar P.S. Case No. 91/14.

(Prabhat Kumar Jha, J)

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