

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8565 of 2015

Arising Out of PS.Case No. -146 Year- 2014 Thana -BIHARIGANJ
District- MADHEPURA

Neelam Devi Wife of Bhola Prasad Bhagat, resident of Village -
Babhangama, Police Station - Behariganj, District - Madhepura.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

with

Criminal Miscellaneous No.17752 of 2015

Arising Out of PS.Case No. -146 Year- 2014 Thana -BIHARIGANJ
District- MADHEPURA

Bhola Prasad Bhagat Son of late Foudar Bhagat Resident of Village-
Babhangama, Police Station- Behariganj, district- Madhepura

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.8565 of 2015)

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr. Panchanand Pandit (App)

(In Cr.Misc. No.17752 of 2015)

For the Petitioner/s : Mr. Uday Chand Prasad, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh (App)

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 24-06-2015 Both these applications arise out of Bihariganj P. S.

Case No. 146 of 2014 registered for the offence punishable under

Sections 304-B, 201, 120B, 34 IPC, as such, they have been heard

together and are being disposed of by this common order.

Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the informant.

The accused-petitioners seek bail in the aforesaid case.

It is submitted that the petitioners are mother-in-law and father-in-law of the deceased. The husband of the deceased is already in custody. The petitioners have voluntarily surrendered on 7.11.2014 and since then they have been in custody having no criminal antecedent. After investigation charge-sheet has already been submitted and there is no chance of tampering with the witnesses.

It is further submitted that the petitioners have not been cruel to the deceased. During investigation, it has come to light that petitioner Bhola Prasad has asked villager Dr. Balkrishna Prasad for treatment of the deceased and he has advised to take the victim to other place.

It is also submitted that it has also come to light that the husband of the deceased has disclosed that he had cremated the dead bodies of the deceased at Bararighat, Bhagalpur.

Learned counsel for other sides have submitted that the petitioners do not deserve bail as the deceased died within three years of her marriage while she was the mother of a six months baby. The baby has also been killed.

Considering the facts and circumstances, the above named petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of Sri P. K. Choudhary, Judicial Magistrate, Ist Class, Udakishunganj, District- Madhepura /court concerned in Bihariganj P. S. Case No. 146 of 2014 ***after framing of charge*** with following conditions:-

1. The petitioners will not indulge themselves in similar or any other offence.
2. One of the bailors must be the close relative of the petitioners.
3. The petitioners will be well represented in the Court on each and every date and in case of absence for two consecutive dates or in case of violation of terms of bail, their bail bonds would be liable to be cancelled by the learned Court concerned.

(Amaresh Kumar Lal, J)

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