

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43315 of 2015

Arising Out of PS.Case No. -72 Year- 2015 Thana -NASRIGANJ District- SASARAM (ROHTAS)

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1. Yashoda Devi, Wife of Brij Kishor Sao
 2. Anil Prasad @ Gorakh Sao, Son of Ram Prasad Sao, Both are Residents of Mohalla- Hariharganj, Ward No. 12, P.S.- Nasirganj, District- Rohtas

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Jitendra Prasad Singh
For the Opposite Party : Mr. Arvind Kumar Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-11-2015 Heard the counsel for the petitioners and counsel for the State.

The petitioners are languishing in jail since 22.05.2015 in a case instituted under Sections 302, 201 and 376/34 of the Indian Penal Code and Sections 4 and 6 of the POCSO Act.

As per prosecution case, the informant's daughter was playing outside her house and became traceless. He along with his family members started searching and after that the informant with family members entered in the house of Yashoda Devi and found that the dead body of Suruchi Kumari covered with cow dung.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 22.05.2015. Chargesheet has been submitted in the case. Petitioners have got no criminal

antecedent. There is no allegation of tampering of evidence against the petitioners. Petitioner no1 is a lady. From perusal of para-6, 7, 8, 24, 25 and 27 of the case, it is evident that the main allegation is against one Pintu Kumar who is said to have committed rape upon the deceased and thereafter had committed her murder. As far as petitioners are concerned, at best Section 201 of the Indian Penal Code is only attracted against them.

On behalf of the State, it has been submitted that the petitioners are named in the FIR.

Considering the aforesaid facts and circumstances, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Ist Additional Sessions Judge, Sasaram (Rohtas) in connection with Nasriganj P.S.Case No.72 of 2015.

(Sudhir Singh, J)

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