

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.5080 of 2015**

Arising Out of PS.Case No. -141 Year- 2014 Thana -MAHILA P.S. District- SIWAN

- =====
1. Shatrughan Sharma @ Pintoo S/o Sheonath Sharma
  2. Sheonath Sharma S/o Late Baleshwar Sharma
  3. Kunti Devi W/o Sheonath Sharma All residents of Village - Rakauli, P.S. Raghunathpur, District - Siwan at present of 3/10, B.C.R.C. Ghat Road, P.S. Sheopur, Dist - Howrah (Kolkatta) West Bengal.

.... .... Petitioners

Versus

The State of Bihar.

.... .... Opposite Party

=====

**Appearance :**

For the Petitioner/s : Mr. Anurag Saurav

For the Opposite Party/s : Mr. Binod Kumar No. 2(App)

=====

**CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA**  
**ORAL ORDER**

6      30-07-2015                      Heard learned counsel for the parties including learned counsel for the informant.

Having regard to the nature of allegation for offence under section 304B and allied offences of the Indian Penal Code against the petitioners, who are husband, father-in-law and mother-in-law, this Court has very carefully looked into all the documents and the case diary from which one thing is very clear that the deceased as also the petitioners were living together in Kolkata and the deceased was in family way. From the prescriptions and the bed-head tickets of Kolkata Medical College and Hospital it is also clear that the deceased was admitted in a serious condition arising out of complications of pregnancy and was treated for good three days before she is said to have succumbed to her complications.



Prima facie such a defence of the petitioners do make out a case for grant of anticipatory bail because if the petitioners wanted to kill the deceased at Kolkata where there was no one else probably this long route of treatment of hospital was not required to be taken.

That being so, if the petitioners, namely, Shatrughan Sharma @ Pintoo, Sheonath Sharma and Kunti Devi, surrender before the court below within a period of four weeks from today, they shall 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 the Chief Judicial Magistrate, Siwan in Siwan (Sadar) Mahila P.S. Case No. 141/2014 arising out of Complaint Case No. 937/2014, subject to the following conditions:

(i) That both the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioners are implicated in any other case of similar nature after their

release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iii) That the petitioners will be well represented on each and every date of trial and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled on this ground alone.

surendra/-

(Mihir Kumar Jha, J)

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|