

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17841 of 2015

Arising Out of PS.Case No. -243 Year- 2011 Thana -BRAHMPUR District- BUXAR

- =====
1. Subash Prasad @ Subash Sah, Son of Ram Chandra Sah @ Chanai Sah
 2. Arti Devi, Wife of Subash Sah
 3. Shivjee Prasad @ Shivji Sah, Son of Subash Sah
 4. Ram Chandra @ Chanai Sah, Son of Late Ramprit Sah
- All are resident of Village- Barka Dhakaich
P.S.- Krishna Brahm, District- Buxer.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shambhu Sah, Son of Laxman Sah, Resident of Village- Ararila, P.S.-
Tiar, District- Bhojpur (Ara).

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arun Kumar No.1, Advocate
For the Opposite Party/s : Smt. Anita Kumari Singh (APP)

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 15-09-2015 Heard learned counsel for the petitioners and the

learned counsel appearing on behalf of the State.

The petitioner Nos.1 to 4, being the *Bhaisur, Gotani, Bhatiza* and father-in-law respectively, are apprehending their arrest in connection with Brahampur (K.B.) P.S. Case No.243 of 2011 for allegedly having committed the offences under Sections 302 and 201/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the informant has filed the present case under misnomer that his sister has been killed or made to disappear by these petitioners. However, the fact has come on record that the girl in question,

who is said to have disappeared, was mentally unsound and so was her husband. It is stated that after the disappearance of the husband of the victim girl, she left her *Sasural* for the reasons best known to herself and she has not come back.

Considering the nature of allegations made and the subsequent retraction made by the informant in the affidavit, contained in Annexure 2, let all the four petitioners, above named, in the event of their arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar, in connection with Brahampur (Krishna Brahm) P.S. Case No.243 of 2011, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

PNM

U		T	
---	--	---	--