

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20769 of 2015

Arising Out of PS.Case No. -123 Year- 2014 Thana -NAYAGAON District- SARAN

- =====
1. Hardew Rai, Son of Late Rameshwar Rai.
 2. Mahapati Devi, Wife of Hardew Rai.
 3. Dharmendra Rai.
 4. Rajesh Rai.
 5. Ajay Rai

Serial No.3 to 5 are sons of Hardew Rai.

All r/o vill.- Nayagaon, P.S.- Nayagaon, District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioners : Mr. Krishna Kant Singh, Advocate

For the Opposite Party : Mr. Rajendra Nath Jha(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

3 01-10-2015 Learned counsel for the petitioners informs that Hardew Rai (Petitioner No.1) has expired during the pendency of this application on 24.6.2015. Accordingly, this application as against him has become infructuous.

Heard learned counsel for the petitioners and the learned counsel appearing on behalf of the State.

Petitioner Nos.2. to 5 are apprehending their arrest in connection with Nayagaon P.S. Case No.123 of 2014 for allegedly having committed the offences under Section 304B and 201/34 of the Indian Penal Code.

Case diary in the present case was called for earlier,

which has since been received.

Learned counsel for the petitioners submits that Petitioner No.2 is the mother-in-law of the deceased lady whereas Petitioner Nos.3 to 5 are brothers of the husband of the deceased lady. It is further submitted that Petitioner No.2 is an old lady whereas Petitioner Nos.3 to 5 are daily wage earners and labourers and usually go out for work. It is submitted that it was only the husband who had been having quarrels with the deceased leading to the act of hanging herself, which has been corroborated by the other villagers as well.

Learned counsel for the State after perusing the case diary submits that it has come on record that these three petitioners, who are brothers of the husband of the deceased, had gone out to work in the fields and when they had come back to the residence, the door of the room was locked from inside and with the assistance of some co-villagers the door was broken down and only thereafter it was discovered that the girl was hanging herself and lying dead.

Considering the aforementioned submissions and the materials, which have surfaced in the case diary and that the petitioners have no mischievous role to play, let Petitioners No.2 to 5, 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, Saran at Chapra, in connection with Nayagaon P.S. Case No.123 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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