

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4452 of 2015

Arising Out of PS.Case No. -71 Year- 2014 Thana -NARAINPUR District- BHOJPUR

1. Santosh Kumar Rai Son of Late Rambadan Rai Resident of Village -
Ishwarpur, P.S- Agion, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.8400 of 2015

Arising Out of PS.Case No. -71 Year- 2014 Thana -NARAINPUR District- BHOJPUR

1. Sandhya Devi W/o Santosh Kumar Rai resident of village - Ishwarpur,
P.S. Agion, District - Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.4452 of 2015)

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Ram Chandra Singh (App)

(In Cr.Misc. No.8400 of 2015)

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Lalan Kumar(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 23-04-2015 Both the above stated petitions arise out of Narayanpur
P.S.Case No. 71 of 2014 registered under section 302 and 201 of
the Indian Penal Code and accordingly, the above stated petitions
are being disposed of by this common order.

Petitioner in Cr. Misc. No. 4452 of 2015 happens to be
father of deceased and is languishing in jail custody since
03.10.2014, whereas petitioner in Cr. Misc. No. 8400 of 2015

happens to be mother of the deceased and she apprehends her arrest in the above stated case and accordingly, she seeks protection under section 438 of the Cr.P.C.

The dead body of the deceased was recovered from a canal in the evening of 28.09.2014 and thereafter, the present case was registered against unknown. The post mortem of the dead body was done and the doctor found decomposed body and gave opinion that the death was due to drowning into water.

In course of investigation, the petitioner in Cr. Misc. No. 4452 of 2015 was arrested and confessed his guilt disclosing this fact that he burnt his daughter to death and threw the dead body into the river. The aforesaid confessional statement of the above stated petitioner appears to be contradictory to the post mortem report.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner namely, Santosh Kumar Rai in Cr. Misc. No. 4452 of 2015, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhojpur at Ara in connection with Narayanpur P.S.Case No. 71 of 2014.

Similarly, petitioner namely, Sandhya Devi in Cr. Misc. No. 8400 of 2015, in the event of her arrest / surrender within four weeks from the date of receipt of this order to the court concerned,

shall be released on bail on furnishing bail bonds of Rs. 10,000/-(
ten thousand) with two sureties of the like amount each to the
satisfaction of the Chief Judicial Magistrate, Bhojpur at Ara in
Narayanpur P.S.Case No. 71 of 2014, subject to condition as laid
down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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