

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2026 of 2015

Arising Out of PS.Case No. -130 Year- 2014 Thana -BARAULI District- GOPALGANJ

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1. Satyendra Hazra, S/o Ramnath Hazra
2. Rita Devi W/o Satyendra Hazra
Both R/o Village - Kahla, PS - Barauli, District - Gopalganj... Petitioners
Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate
For the Opposite Party/s : Mr. Raj Kishor Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**
ORAL ORDER

4 02-07-2015 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in a case under Sections 341, 323, 379 and 504/34 of the Indian Penal Code, to which Sections 313 and 315 of the Indian Penal Code were added, later on.

As per the F.I.R., on 04.08.2014, both the petitioners abused and assaulted the informant. It is further alleged that petitioner no.2 snatched Golden chain of the informant. The F.I.R. was lodged on 06.08.2014.

The informant gave birth to a dead female child on 07.08.2014.

This Court by order dated 13.05.2015 called for the post-mortem report as well as the opinion of the Civil Surgeon, Gopalganj. The post-mortem report as well as the opinion of the

Civil Surgeon, Gopalganj has been produced before this Court. As per opinion, the post-mortem was conducted on 08.08.2014 on the dead body of new born (baby of Pinki Kumari). According to the doctor, the time elapsed since death was more than seven days on account of infection (Uterine) causing IUGR and fetal death. The opinion of the Civil Surgeon is also as per the opinion of the doctor, who conducted post-mortem.

In view of the post-mortem report and the report of the Civil Surgeon, in the event of their arrest/surrender before the court below within four weeks from today, let the petitioners, named above, be released on bail on furnishing bail bonds of Rs.5,000/- (Five thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gopalganj in connection with Barauli P.S. case no. 130 of 2014 (G.R. No. 2626 of 2014), subject to conditions laid down under Section 438 (2) of the Cr.P.C., with the condition that petitioner no.1 will not physically absent for two consecutive dates at stretch till three witnesses are examined, failing which his bail bonds would be cancelled.

(Samarendra Pratap Singh, J.)

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