

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32610 of 2015

Arising Out of PS.Case No. -151 Year- 2014 Thana -SINGHIYA District- SAMASTIPUR

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1. Kusheshwar Prasad Singh S/o Late Rambahadur Singh
2. Prem Kumari, W/o Kusheshwar Prasad Singh both resident of village
Singhia, P.S. Singhia, District- Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarvesh Kumar Singh

For the Opposite Party/s : Mr. Arun Kumar Singh 5 (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 14-08-2015 Heard learned counsel for the petitioners and learned

Additional Public Prosecutor appearing on behalf of the State.

This application for grant of anticipatory bail arises out of
Singhia P.S. Case No. 151 of 2014, disclosing offences under
Sections 302,201/34 of the Indian Penal Code.

The petitioners are father-in-law and mother-in-law of the
deceased, whereas the informant is the sister of the deceased. The
marriage of the deceased with the son of these petitioners was
admittedly solemnized nearly 27 years before institution of the
First Information Report. Learned counsel for the petitioners
submits that even if the allegation as contained in the First
Information Report are taken to be true, no offence under Section

302 of the Indian Penal code is made out against these petitioners. He further contends that the allegation of torture etc, in the First Information Report are general and omnibus and there is no allegation, specific against these petitioners.

In view of the submission as above, this application is accordingly, allowed. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, 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 learned Chief Judicial Magistrate, Samastipur in Singhia P.S. Case No. 151 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present themselves before the Police/Court, as the case may be, and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall liable to be cancelled.

(Chakradhari Sharan Singh, J)

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