

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39926 of 2014

Arising Out of PS.Case No. -28 Year- 2014 Thana -UDAKISHANGANJ District- MADHEPURA

Sushila Devi Wife of Hira Lal Mukhiya resident of Village - Uda-Kishunganj, Murli Tola, Ward No. 14, Police Station - Uda - Kishunganj, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.42445 of 2014

Arising Out of PS.Case No. -28 Year- 2014 Thana -UDAKISHANGANJ District- MADHEPURA

Lalo Mukhiya @ Lal Bahadur Mukhiya @ Lal Bahadur Mukhiya son of Late sukhla Mukhiya, resident of village-Mahadipur, Police Station- Alamnagar, district-Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.39926 of 2014)

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Nirmal Kr. Sinha(App)

(In Cr.Misc. No.42445 of 2014)

For the Petitioner/s : Mr. Shailendra Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

3 14-01-2015 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners in these two applications seek regular bail in case registered for the offence punishable under Sections 302/201, 34 of the Indian Penal Code.

The petitioner of Cr. Misc. No. 39926 of 2014 is the

mother of the deceased whereas the petitioner of Cr. Misc. No. 42445 of 2014 is brother-in-law (*Bahnoi*) of the petitioner of Cr. Misc. No. 39926 of 2014.

As per the First Information Report instituted on the basis of the statement of the Chowkidar, the deceased was married in a village Biri-ranpal Dih. Allegedly, she had some illicit relationship with her co-villager which was objected by the petitioner Shushila Devi. Allegedly, because of the dispute between Shushila Devi and her daughter, the Deceased, she killed the deceased on 12.03.2014 with the help of Lalo Mukhiya the petitioner of Cr. Misc. No. 42445 of 2014.

Learned counsel for the petitioners submits that there is absolutely no evidence brought in course of investigation to support the allegation that the petitioner killed the deceased. He submits that the petitioner have been implicated by the Chowkidar on the basis of hear-say. He also submits that there is no eye-witness to the occurrence. He contends that apart from the said Chowkidar, who is the informant of the case, no one else has supported the prosecution story.

In view of the submission as above, let the petitioners above named, 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 Additional Sessions Judge-II,
Madhepura in connection with Uda-Kishunganj P.S. Case
No. 28/2014.

(Chakradhari Sharan Singh, J.)

Saif/-

U			
---	--	--	--