

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43385 of 2014

Arising Out of PS.Case No. -215 Year- 2014 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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1. Bhola Thakur Son of Shankar Thakur
2. Usha Devi Wife of Bhola Thakur
Both Resident of Village-Balua Kuari Dharam Ganchhi, P.S.-Sadar, Hajipur
District-Vaishali..... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bela Singh

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 27-03-2015 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners apprehend their arrest in connection
with Hajipur Sadar P.S. Case No. 215 of 2014 registered for the
offences punishable under Sections 302/34 of the Indian Penal
Code.

Allegedly, the petitioners being father-in-law and
mother-in-law along with others burnt the daughter of the
informant to death.

Submission is of false implication and that the
petitioners are living separately since long having no concern with
the deceased and her husband, the deceased committed suicide
herself and in extinguishing fire, her husband has also received
injury and the informant was present at the time of treatment but

petitioners have been implicated. During supervision the S.D.P.O., Sadar, Hajipur has not found the case to be true under Section 302 Indian Penal Code rather the case was found to be true under section 306 of the Indian Penal Code, and as such, the petitioners deserve sympathetic consideration as the marriage has taken place 15 years ago, to which the learned APP opposes.

In the facts and circumstances stated above, considering that the petitioners are father-in-law and mother-in-law and claiming that they are living separately and further that during supervision the case has not been found to be true under Section 302 of the Indian Penal Code, the petitioners above named, in case of their surrender or arrest within two months from the date of receipt/production of a copy of this order, shall be released on bail on execution of 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, Vaishali in connection with Hajipur Sadar P.S. Case No. 215 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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