

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11711 of 2015

Arising Out of PS.Case No. -372 Year- 2013 Thana -AMARPUR District- BANKA

- =====
1. Prem Lata Devi Wife of Parsahuram Ishwar
 2. Parashuram Ishwar Son of Late Adhik Lal Ishwar
 3. Mantu Ishwar Son of parashuram Ishwar All resident of village- Gopalpur, Police station- Amarpur, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Md. Nurul Hoda
For the State : Mr. M. K. Khar (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 03-07-2015

The FSL report has been received in sealed cover which was opened in presence of the parties.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Amarpur P.S. Case No. 372 of 2013 registered under Sections-328, 302, 201/34 of the Indian Penal Code.

The petitioner No. 1 is mother-in-law, petitioner No. 2 is father-in-law and the petitioner No. 3 is husband of the deceased.

The forensic report establishes this fact that the deceased died of poisoning and there is allegation against



petitioners that they administered poison but the first information report, reflects that the deceased pressurized the petitioner No. 3 to part his ways from his family members and subsequently, a partition took place in the family of petitioners but the deceased was not satisfied with the aforesaid partition. Furthermore, the first information report reflects that the petitioner No. 3 used to torture the deceased.

Considering the aforesaid facts and circumstances as well as submission of the parties, petitioner Nos. 1 & 2 named above, in the event of their arrest or surrender within four weeks from the date of receipt/production of copy of order in the court below, let the petitioner named above, be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Amarpur P.S. Case No. 372 of 2013 to the satisfaction of Chief Judicial Magistrate, Banka subject to conditions as laid down u/S 438(2) of the Cr. P.C.

So far as The petitioner No. 3 is concerned; his prayer for anticipatory bail stands rejected.

However, if the petitioner surrenders in the court below within four weeks from today and seeks

regular bail, his regular bail application shall be considered on its own merit without being prejudiced by this rejection order.

The office is directed to return the forensic science report to the court below under sealed cover without any delay.

(Hemant Kumar Srivastava, J)

A.K.V./-

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