

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16130 of 2015

Arising Out of PS.Case No. -307 Year- 2013 Thana -MINAPUR District- MUZAFFARPUR

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1. Chameli Devi, wife of Suraj Sah
2. Manju Devi Wife of Mukesh Sah
3. Suraj Sah Son of Late Makhan Sah
All residents of Village Panapur Laheria Tola, O.P. Panapur, P.S. Minapur,
District Muzaffarpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Alok Kumar Alok, Advocate

For the Opposite Party : Mr. Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-06-2015 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in connection with Minapur
P.S. Case No.307 of 2013 for the offence punishable under
Section 302 read with Section 34 of the Indian Penal Code.

The prosecution story, in brief, is that the informant had
married his daughter, namely, Pinki Devi in the year 2005 with
one Ajay Sah. Initially, his in-laws treated his daughter well and
from the wedlock, two sons were born but for the last one year, his
daughter was being ill-treated by her in-laws and even she was
being assaulted. On 08.10.2013, they asked her to leave the home.
On the same day, she was also assaulted. Ultimately, his daughter
talked on telephone stating that if she does not vacate the home,

she would be killed. On 09.10.2013, he came to know from the villages that his daughter had been killed by the in-laws.

It has been submitted on behalf of the petitioner that petitioner no.1 is the mother-in-law of the deceased, petitioner no.2 is the Gotini and petitioner no.3 is the father-in-law of the deceased. It has been submitted that the present case has been instituted due to mistake of facts. It has further been submitted that the aforesaid submission is supported from the fact that when the informant subsequently learnt the truth, he made a petition in the court below and in paragraph 5 of the said petition, he has categorically stated that due to mistake of facts, he had instituted the present case. The said petition filed on behalf of the informant in the court below is Annexure-2 to the present application.

On behalf of the State it has been submitted that the petitioners are named in the first information report.

Considering the aforesaid facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in connection with Minapur P.S. Case no. 307 of 2013.

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(Sudhir Singh, J)