

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.360 of 2015

Arising Out of PS.Case No. -66 Year- 2014 Thana -RAUTARA District- KATIHAR

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1. Buddhu Rishi @ Budhu Rishi Son of Late Sukhai Rishi
2. Chunnu Rishi @ Chunnu Son of Buddhu Rishi
Both are residents of Village-Sadalpur, Mushahri Tola, P.S- Raulara,
District-Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 03-02-2015

Heard both sides.

The petitioners seek regular bail in Routara P.S. Case No. 66 of 2014 registered under Sections 302/34 of the Indian Penal Code.

The informant, the mother of the deceased, has alleged that her son Shastri Rishi had gone to his Sasural, but she got information that her son died of burn injuries. The informant further alleged that the wife, brothers-in-law, father-in-law and others burnt her son to death.

The learned counsel for the petitioners submits that the deceased had altercations with Hibi Rishi and the deceased himself committed suicide. There is no eye witness of the occurrence. Of course, the dead body of the deceased was found on the verandah of the house of the petitioners, but there is

absolutely no evidence collected during the course of investigation to show that the petitioners caused the death of Shashtri Rishi, the deceased. The petitioners are father-in-law and brother-in-law of the deceased.

Learned A.P.P., however, vehemently opposed the prayer for bail and submitted that the dead body of the deceased was found inside the house of the petitioners.

On consideration of the facts aforesaid, it appears that the informant herself alleged that her son picked up quarrel with his brother-in-law Hibu Rishi. The informant is not an eye witness of the occurrence. The petitioners are father-in-law and brother-in-law of the deceased. The Investigating Officer did not collect any evidence corroborating the allegations made against the petitioners.

Considering the facts aforesaid, the above named petitioners are directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in Rautara P.S. Case No. 66 of 2014, corresponding to G.R. No. 2893/14.

(Prabhat Kumar Jha, J)

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