

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48963 of 2015

Arising Out of PS.Case No. -32 Year- 2013 Thana -BABUBARHI District- MADHUBANI

1. Sukan Raut son of late Bilakshan Rout
2. Suresh Raut Son of late Bilkshan Rout
3. Parmila Devi wife of Late Bilkshan Rout All Resident of Maheshwara Beldarshi, p.s Babubarhi, District Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. S.D. Singh Yadav (App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 03-11-2015 Heard Mr. Gagan Deo Yadav for the petitioner and
Mr. S.D. Singh Yadav, APP for the State.

The three petitioners herein seek anticipatory bail in Babubarhi P.S. Case No. 32 of 2013 registered under section 498-A, 302 and 201/34 IPC.

The informant lodged the case alleging that after the death of the husband of the victim she was being tortured by family members. On suspecting the informant went to the village and found none at the house which was locked. In the nearby field the dead body of the informant was being burnt. The information was lodged and the half-burnt dead body of the deceased was exhumed and the post mortem was

conducted. The petitioners along with father-in-law has been made accused in the present case. Petitioner no.3 is said to be married Nanad of the deceased.

The contention of the petitioner is that there is no witness to the occurrence. The father-in-law of the deceased has been tried and acquitted. The informant subsequently lodged a petition (Annexure-2) in the court exonerating them from the allegation.

Learned APP opposed the prayer.

The case was lodged in 2013. The petitioners are named therein. They evaded to submit to the jurisdiction of the court.

Considering the seriousness of the offence, this Court is not persuaded to extend the privilege of anticipatory bail to the petitioner nos. 1 and 2. their prayer is rejected.

Since the petitioner no.3 (Parmila Devi) is Nanad who was married few years before the date of occurrence, I am persuaded to privilege her with anticipatory bail. Accordingly, in the event of arrest/surrender within four weeks from today, she shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction CJM, Madhubani in

Babubarhi P.S. Case No. 32 of 2013 on condition that one of the bailor shall be her own/close family member. In the event of framing of charge, she shall appear in person on each date fixed at the trial. In case of default in doing so on two consecutive dates, the trial court shall cancel her bail bonds.

(Kishore Kumar Mandal, J)

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