

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.11461 of 2016**

Arising Out of PS.Case No. -124 Year- 2015 Thana -PANAPUR District- SARAN

- =====
1. Mukesh Rai son of Asharfi Rai
  2. Asharfi Rai son of Late Nagina Rai Both are residents of Village -  
Bhoraha Pachim Tola, P.S. - Panapur, District - Saran, Chapra.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar Singh

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

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

2      15-03-2016                      Heard learned counsel for the petitioners as well as  
  
learned Additional Public Prosecutor for the State.

Petitioners are named in the first information report which has been registered under Sections 302 , 201/34 of the Indian Penal Code but, admittedly, the informant has not seen the actual killing of the deceased. The dead body of the deceased was recovered and post mortem report of the deceased reveals that the cause of death of the deceased was asphyxia due to hanging and she died in other than normal circumstances. Moreover, petitioners happen to be agnates of husband of the deceased and even if the prosecution story is assumed to be true, then also only section 201 of the Indian Penal Code is applicable against the petitioners.

Accordingly, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saran at Chapra in connection with Panapur P.S. Case No. 124 of 2015.

**(Hemant Kumar Srivastava, J)**

N.K/-

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