

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21405 of 2016

Arising Out of PS.Case No. -63 Year- 2014 Thana -MAIRWA District- SIWAN

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1. Acchaibar Patel @ Acchaibar, son of Jagdeo Patel.
2. Malti Devi @ Malti wife of Acchaibar Patel @ Acchaibar Both Residents of village- Narahiya, Pandey, Police Station- Mairwa, District- Siwan,

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhakar Singh

For the Opposite Party/s : Mr. S.N Shukla (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 30-08-2016 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners being father-in-law and mother-in-law of the deceased lady are apprehending their arrest in connection with Mairwa P.S. Case No. 63 of 2014 for the offences registered under Sections 304(B), 201, 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the entire case is an afterthought, which has been lodged after 13 days of the occurrence. It is further submitted that the victim lady died after having been hit by the train while she was coming back from attending the call of nature. It is further

submitted that the aforesaid facts are placed in the case dairy and it has also come on record that the informant had participated in the cremation proceeding and thereafter, at the instigation of some of his agnates, the present case has been lodged.

Considering the aforesaid facts and circumstances of the case and also that there is no cogent material in the case dairy to implicate the petitioners in the present case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Siwan in connection with Mairwa P.S. Case No. 63 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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