

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32872 of 2016

Arising Out of PS.Case No. -244 Year- 2016 Thana -SITAMARHI District- SITAMARHI

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1. Vijay Sah Son of Late Ram Chandra Sah
2. Bhikhari Devi @ Bhikhain Devi Wife of Vijay Sah
3. Sanjay Kumar Son of Vijay Sah
4. Ranjay Kumar @ Somnath Kumar Son of Vijay Sah, All resident of
village - Mirchai Patti, Ward No. 9, P.S. Sitamarhi, District - Sitamarhi
.... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh
For the Informant : Mr. Sanjay Kumar
For the Opposite Party/s : Mr. Yogendra Kumar Singh (App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

2 30-08-2016 Learned counsel for the petitioners submits that petitioner No. 1 has been arrested, the application as against him has become infructuous and, therefore, he prays for leave of this Court to withdraw the same.

Leave is granted.

The application as against petitioner No. 1 is dismissed as infructuous.

The case shall now proceed only against petitioner Nos. 2, 3 and 4.

The petitioners apprehend their arrest in connection with a case registered for the offences punishable under Sections 304(B)/34.

Learned counsel for the petitioners submits that though there is allegations against these petitioners, the First Information Report itself discloses that the brothers of the husband of the

deceased and her mother-in-law were living separately and that the deceased and her husband were living in a rented house.

Considering the nature of allegations made and that there does not appear to be any immediate connection / presence of these three petitioners at the place of occurrence when the informant reached and found his daughter in an unconscious state, let the petitioners, in the event of their arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged 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 the learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No. 244 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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