

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4996 of 2016

Arising Out of PS.Case No. -264 Year- 2015 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Rajendra Ram son of Banai Ram
 2. Saraswati Devi Wife of Rajendra Ram Both residents of Village Jokaha, Chauraha, P.S. Bettiah Mufassil, District West -Champaran.
 3. Kishore Ram Son of Kari Ram
 4. Archana Devi Wife of Kishore Ram Both residents of Village Machhargawan, P.S. Bairiya, District West-Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Adv.

For the Opposite Party/s : Mr. Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 28-03-2016 Heard learned counsel for the parties.

The petitioners apprehend their arrest in connection with Bettiah Muffasil P.S. Case No. 264 of 2015 for the offences punishable under Sections 498A, 304B, 201/34 of Indian Penal Code.

Learned counsel for the petitioners while admitting that the death has taken place within 7 years of marriage but submits with reference to the allegations made in the F.I.R. that even though the son of the informant is claimed to be an eye witness to the occurrence but his statement has not been recorded by the investigating agency. He further submits that the husband has since been arrested and the petitioners herein are the father,

mother, brother in law and sister of the husband of the deceased. He further with reference to the F.I.R. submits that the allegations are sweeping and there is no specific allegation against either of the petitioners who are staying separately from their son. It is under the order of this court that the case diary has been summoned and learned Additional Public Prosecutor admits that there is no statement of the son of the informant who is stated to be the witness to the occurrence.

Having heard learned counsel for the parties and considering the submissions of learned counsel and the circumstances exiting, let the petitioners namely, (1) Rajendra Ram, (2) Saraswati Devi, (3) Kishore Ram and (4) Archana Devi in the event of their arrest/surrender within four weeks from today, be released on bail upon furnishing individual bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Mufassil P.S. Case No. 264 of 2015 subject to the conditions stipulated under Section 438(2) of the Code of Criminal Procedure.

(Jyoti Saran, J)

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