

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6487 of 2016

Arising Out of PS.Case No. -213 Year- 2015 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Babita Devi W/o Lakhindra Choudhary
 2. Mahendra Choudhary S/o Mohan Choudhary
 3. Kusumi Devi W/o Mohan Choudhary
 4. Suresh Chaudhary S/o sita Ram Choudhary
- All are Residents of Village -Harpur Nag, P.S. Mehshi, District-East Champaran.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.Iii

For the Opposite Party/s : Mr. Chandra Bhushan Prasad(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 13-05-2016 Heard learned counsel for the petitioners and

learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Chakiya P.S. Case No. 213 of 2015 registered for the offences punishable under Sections 304(B) and 201/34 of the Indian Penal Code.

Case diary in the present case was called for which has since been received.

Learned counsel for the petitioners submits that the main allegation is against the husband. So far as the petitioners are concerned, they are alleged to be in conspiracy

with the husband. Learned counsel for the petitioners further submits that the husband has already been taken into custody. So far as the allegation of Section 304(B) is concerned, the marriage admittedly took place about 16-17 years prior to the alleged date of occurrence and therefore, the said provision would not be attracted in the present case.

Considering the aforementioned facts and circumstances of the case and also that there being only the element of conspiracy suspected against the petitioners in the present case, let the petitioners, above named, 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 each amount to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Chakiya P.S. Case No. 213 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Anjana Mishra, J)

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