

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15240 of 2016

Arising Out of PS.Case No. -417 Year- 2015 Thana -DARBHANGA SADAR District-
DARBHANGA

- =====
1. Babita Devi W/o - Rajaram Manjhi
 2. Sanju Devi W/o Lakhinder Manjhi
 3. Gita Devi W/o Devindar Manjhi
 4. Ratiya Devi W/o Maheshwar Manjhi All residents of village - Shishodih, P.S. - Sadar (Mabbi O.P.), District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Jha

For the Opposite Party/s : Mr. M.K.Khare(App)

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

3 26-05-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

Petitioners apprehend their arrest in relation to
Darbhanga Sadar P.S. Case No. 417 of 2015 registered under
Sections 147 and 304 of the Indian Penal Code.

From the facts, it is evident that an incident took
place on 15.08.2015 wherein the informant alleged that her
husband has been assaulted by the petitioners, he ran came home,
then there was panchayati to be done, subsequently he expired and
then the case was lodged. The learned Sessions Judge has rejected
the anticipatory bail application of the petitioners on the ground
that postmortem report shows that the deceased was strangled.

Learned counsel for the petitioners points out that the allegation is that the deceased was beaten up and wrapped gamcha around his neck in the orchard but anyhow he saved his life and came back home, where he subsequently died. Thus, the story of strangulation outside the home does not stand. Learned counsel for the petitioners further submitted that it was the deceased, who had committed suicide, which is being attributed to the petitioners.

Be that as it may, in the event of their arrest/surrender before the court below within four weeks, let the above named petitioners be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Darbhanga, in connection with Darbhanga Sadar P.S. Case No. 417 of 2015, subject to conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Navaniti Prasad Singh, J.)

Rajiv/Amit

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