

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28311 of 2016

Arising Out of PS.Case No. -106 Year- 2016 Thana -KHAIRA District- JAMUI

- =====
1. Awadhesh Singh S/o Shree Singh
 2. Surendra Singh S/o Bhagwan Singh
 3. Pravesh Singh S/o Suchit Singh All are residents of Village - Dundo, P.S. and Distt. - Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Sri Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-07-2016 Heard learned counsels for the petitioners and the State.

The petitioners are languishing in custody since 27.05.2016 in a case registered for the offences punishable under sections 498(A), 328, 302, 201/34 of the IPC.

The prosecution case is that the informant received telephonic message on 11.05.2016 at 3 PM that his sister, Guddi Kumari, has consumed poison. The informant went to the in-laws house of his sister and came to know that husband of her sister has taken the dead body to dispose of. The informant along with villagers arrived at the bridge of a canal and saw that 20-25 persons were making attempt to dispose of the dead body. The

petitioners were apprehended on the spot.

It is submitted by learned counsel for the petitioners that the petitioners are neither family members nor related to the husband of the victim. Statement to that effect has been made in paragraph 10 of the petition and even assuming the accusation that the petitioners were participating in the cremation of dead body at best a case under section 201 of the IPC is made out. Statement has been in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Khaira P.S. Case No. 106 of 2016 (G.R. No. 732 of 2016).

(Dinesh Kumar Singh, J)

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