

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46911 of 2015

Arising Out of PS.Case No. -31 Year- 2009 Thana -BABUBARHI District- MADHUBANI

- =====
1. Adhik Lal Yadav Son of Late Genalal Yadav
 2. Hirday Narayan Yadav, @ Hriday Narayan Yadav @ Hirday Yadav Son of Adhik Lal Yadav
 3. Sujan Devi Wife of Manilal Yadav, resident of Village - Jhanjhpatti, P.S. - Khutauna, District - Madhubani
 4. Manto Devi Wife of Sobhendra Yadav, resident of Tulsiyahi, P.S. - Khutouna, District - Madhubani
 5. Kail Devi @ Kaili Devi Wife of Mahendra Yadav, resident of Village - Khutouna, P.S. - Khutouna, District - Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav
For the Opposite Party/s : Mr. Murlidhar (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

6 18-05-2016 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners apprehend their arrest in connection with Babubarhi P.S. Case No. 31 of 2009 for the offences registered under Sections 302, 201/34 of the Indian Penal Code.

Earlier case dairy of the present case was called for which has since been received.

Learned counsel for the petitioners submits that petitioner no. 1 is the cousin uncle and petitioner no. 2 is the son of petitioner no. 1 and petitioner no. 3 is the mother-in-law of



the deceased. It is further submitted that petitioner nos. 1 is living in Delhi and petitioner no. 2 is the cousin uncle of the deceased and he has no concern with the family of the deceased. So far as petitioner nos. 4 and 5 are concerned, learned counsel for the petitioners submits that they are married daughters (*Nanad*) of the deceased and are living separately. So far as petitioner no. 3 is concerned, she is mother-in-law of the deceased and the allegation against her is that she has been involved in torturing her daughter-in-law (deceased) in the present case.

Learned counsel for the State after perusal of the case dairy submits that the submissions as advanced by learned counsel for the petitioners as against petitioner nos. 1,2,4 and 5 appear to be correct, as it stands corroborated by independent witnesses and the same has been placed in paragraph- 75 of the case dairy also. So far as petitioner no. 3 is concerned, the child of the deceased as well as the said independent witnesses has clearly stated that she has been indulging in torturing her daughter-in-law (deceased).

Considering the aforesaid facts and circumstances of the case, let the petitioner nos. 1, 2, 4 and 5, above named, in the event of their arrest or surrender before the court below within a

period of four weeks from the date of receipt/production of a copy of this order, be released 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 Judicial Magistrate, 1st Class, Madhubani in connection with Babubarhi P.S. Case No. 31 of 2009, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as petitioner no. 3 is concerned, the anticipatory bail application of petitioner no. 3 stands rejected.

(Anjana Mishra, J)

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