

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5064 of 2016

Arising out of PS.Case No. -192 Year- 2006 Thana -GAYA KOTWALI District- GAYA

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1. Asha Devi, Wife of Late Ram Nandan Prasad.
 2. Barsa Kumari @ Versa Gupta, Daughter of Late Ram Nandan Prasad.
Both are residents of Mohalla- Station Road, Gaya, P.S. Kotwali, in the district of Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary

For the Opposite Party/s : Mr. Ram Chandra Sahni, APP

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 28-03-2016

Heard the parties.

The petitioners apprehend their arrest in connection with Gaya Kotwali P.S. Cae No.192 of 2006 registered for the offences punishable under section 304(B) of the Indian Penal Code.

Mr. Braj Nandan Kumar Tiwary, learned counsel appearing for the petitioners while admitting that the prayer of these petitioners had been earlier rejected by this Court vide order present at Annexure-1, submits that it is in the changed circumstances that the prayer has been renewed. He submits that the case was put on trial and the husband of the deceased has been acquitted for want of evidence in Sessions Trial No.33 of 2007/233 of 2007 passed by the Additional Sessions

Judge/F.T.C. Vth, Gaya in the judgment dated 19th of May, 2009. Learned counsel in support of the prayer has referred to the deposition of the informant as recorded by the trial court in which he has contradicted his earlier statement and has stated that the death has occurred due to falling from the roof.

Having heard learned counsel for the parties and considering the judgment of the trial court in Sessions Trial No.33 of 2007/233 of 2007 let the petitioners, namely, Asha Devi and Barsa Kumari @ Versa Gupta in the event of their arrest or surrender within four weeks from today be released on bail upon each of them furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Gaya in connection with Gaya Kotwali P.S. Case No.192 of 2006 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Jyoti Saran, J)

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