

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.113 of 2016

Arising Out of PS.Case No. -34 Year- 2015 Thana -SONBERSA District- SITAMARHI

1. Surati Devi wife of Babujee Mahto,
2. Sushil Kumar son of Babujee Mahto
Both residents of village - Chandni Chowk, P.S. - Sonbarsa,
District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 11-01-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with
Sonbarsa P.S. Case No.34 of 2015 registered under Section
304B/34 of the Indian Penal Code.

It has been contended that though the petitioners are
named in the FIR, they were found innocent during investigation
and in the report submitted under section 173 of the Code of
Criminal Procedure, they were not sent up for trial. However,
without assigning any reason for taking a different view, the
learned Magistrate differed with the police report and summoned
the petitioners too for trial.

Regard being had to the submissions made hereinabove, in the event of arrest or surrender in the court below within six weeks from today, the above named petitioners are directed to 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 learned Chief Judicial Magistrate, Sitamarhi in connection with Sonbarsa P.S. Case No.34 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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