

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58324 of 2015

Arising Out of PS.Case No. -47 Year- 2015 Thana -KAHAIYA District- MUZAFFARPUR

- =====
1. Nitu Devi Wife of Manoj Upadhyay
2. Girija Devi Wife of Gangadeo Upadhyay both are Residnet of Village - Rampur Bheryahi, P.s Kathaiya, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Bela Singh

For the Opposite Party/s : Mr. Amit Kumarrakesh(APP)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 01-02-2016 Heard learned counsel for the petitioners and learned

Additional Public Prosecutor appearing on behalf of the State.

This application for grant of anticipatory bail arises out
of Kathaiya P.S. Case No. 47 of 2015, disclosing offences under
Sections 304B and 120B of the Indian Penal Code.

Learned counsel for the petitioners submits that no case
under Section 304B of the Indian Penal Code is made out,
inasmuch as admittedly, marriage had taken place nearly 12 years
before the date of occurrence. She further submits that the
petitioners are ladies. Petitioner No.1 is the wife of the brother of
the husband of the deceased whereas, petitioner no.2 is the
mother-in-law of the deceased.

Considering the fact that the petitioners are ladies and submissions as advanced on their behalf, this application is allowed.

Let the petitioners above-named, in the event of their arrest/surrender before the Court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri V. K. Chaubey, Judicial Magistrate, Ist Class, Muzaffarpur in connection with Kathaiya P.S. Case No. 47 of 2015, subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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