

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42682 of 2016

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1. Kunti Devi wife of Sakaldeo Sah
2. Mamta Kumari daughter of Sakaldeo Sah
Both resident of Village- Kodiya Takath, P.S.- Bhagwanpur, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s Mr. Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 23.11.2016 Heard learned counsel for the petitioners as well as
learned Addl. Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
a case registered under section 304B/34 of the Indian Penal
Code.

Petitioner no.1 happens to be mother-in-law whereas
petitioner no.2 is said to be unmarried Nanad of the deceased.
The first information report does not contain either date or the
year of the marriage but even then, the concerned officer-in-
charge lodged the case for the offence punishable under section
304B/34 of the Indian Penal Code.

However, it appears from perusal of the impugned
order that the marriage of the deceased had taken place in the
year 2002 and admittedly, she died in the year 2016 i.e. after 14
years of her marriage. Moreover, it also appears from perusal of

the written report that the deceased was mother of three children. There is no allegation of any overt-act against these petitioners.

Considering the aforesaid facts and circumstances as well as submissions of the parties, in the event of arrest/ surrender within six weeks from the date of receipt of this order to the concerned court, let the petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate X, Siwan in Bhagwanpur Hat P.S. Case no. 47/2016 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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