

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54897 of 2015

Arising Out of PS.Case No. -840 Year- 2015 Thana -SASARAM NAGAR District- SASARAM (ROHTAS)

- =====
1. Nilam Devi , Wife of Lalan Seth.
 2. Lalan Seth, Son of Late Beni Madhav @ Bel Madho Seth. Both Resident of Mohalla- Mubarkganj (Khirkighat), Police Station- Sasaram Town, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.2085 of 2016

Arising Out of PS.Case No. -840 Year- 2015 Thana -SASARAM NAGAR District- SASARAM (ROHTAS)

- =====
1. Pintu Kumar Soni @ Pintu Soni
 2. Dharmendra Soni @ Dharmendra Kumar Soni
 3. Jitendra Soni @ Jitendra Kumar Soni All Son of Lalan Seth Resident of Mohalla - Munarkganj (Khirkighat), Police Station - Sasaram Town, District - Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.54897 of 2015)

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Renu Kumari(APP)

(In Cr.Misc. No.2085 of 2016)

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Renu Kumari(APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 23-02-2016 Since both petitions arise out of Sasaram Town P.S. Case no. 840 of 2015, they have been heard together and are being disposed of by this common order.

The petitioners of both petitions are apprehending their

arrest in a case instituted under Sections 302 and 120B of the Indian Penal Code.

Allegation against the petitioners is that Pinki Devi is divorced wife of the deceased but deceased used to meet his divorced wife. This fact did not like the petitioners and they used to threaten to kill the deceased. On the alleged date of occurrence the deceased was killed.

It is submitted on behalf of the petitioners that they have got no criminal antecedent. Petitioner nos. 1 & 2 of Cr. Misc. no. 54897 of 2015 are mother-in-law and father-in-law of the deceased respectively and petitioner nos. 1, 2 and 3 of Cr. Misc. no. 2085 of 2016 are brothers-in-law of the deceased. The marriage of the deceased had taken place as back as in the year 2004. Thereafter, by mutual consent a divorce petition was filed and subsequently, a decree was passed in the year 2009. The alleged occurrence is said to have been taken place in the year 2015. From perusal of para-44 of the case diary it appears that son of the deceased has been examined by the investigating officer where he has categorically stated that father had committed suicide.

On behalf of the State and the informant, it is submitted that petitioners are named in the F.I.R. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest implication of the petitioners.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of

learned Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Sasaram Town P.S. Case no. 840 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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