

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55506 of 2015

Arising Out of PS.Case No. -130 Year- 2015 Thana -BHAWANIPUR District- PURNIA

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1. Bimla Devi Wife of Late Nepali Singh
2. Diwana Singh son of late Nepali Singh Resident of Village- Babhan Chakka, P.s Bhawanipur, District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s : Mr. Matloob Rab (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 23-02-2016

Heard learned counsel for the petitioners and learned

A.P.P. representing the State.

Petitioners seek bail in connection with Bhawanipur P.S. Case No. 130 of 2015 registered for the offence punishable under Section 302/34 of the Indian Penal Code.

Allegedly, Renu Devi the daughter of the informant was married to Pawan Singh, the son of petitioner no. 1 three years ago but there was no issue and the petitioners and other co-accused used to torture and assault her and thereafter, Renu Devi informed that she has been assaulted brutally and requested to come and then the informant went there and found her daughter dead having sign of injuries on various parts.

Submission is of false implication and that the petitioners are mother-in-law and *Dever*, they are living separately

from the husband of the deceased since long, there is no specific allegation against the petitioners and in this case, similarly situated co-accused Lalita Devi has been allowed pre-arrest bail by another co-ordinate Bench of this Court and, as such, the petitioners also deserve sympathetic consideration to which the learned A.P.P. does not oppose.

In the facts and circumstances stated above, the petitioners, above named, are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Sri. Mithilesh Kumar, learned J.M. 1st Class, Purnea in connection with Bhawanipur P.S. Case No. 130 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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