

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56721 of 2015

Arising Out of PS.Case No. -106 Year- 2015 Thana -BENA District- NALANDA
(BIHARSHARIFF)

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1. Anju Sinha, wife of Birju Prasad,
2. Puja Kumari Daughter of Birju Prasad, both Resident of Village- Chhoti
Aat, P.O.- Ben, P.S.- Ben, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Prasad Verma

For the Opposite Party/s : Mr. Pranav Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 19-01-2016 Heard the Counsel for the petitioner and the APP for
the State.

Petitioners are facing accusations in Ben P.S. Case
No. 106 of 2015 registered under Sections 323, 302, 201, 120B
and 34 of the Indian Penal Code.

Two petitioners herein being mother and daughter are
related to the deceased as mother and sister. The wife of the
deceased lodged a complaint that her husband used to protest
against the illicit relationship developed by the petitioner no. 1 and
2 with Satya Narayan Prasad. On the date of occurrence, petitioner
no. 1 along with said Satya Narayan Prasad took her husband to
some place. Later, it was found that he was done to death and
cremated.

Contention of the petitioners is that it is not expected of mother and sister to commit murder of the son/brother. There is no direct eye witness to the commission of the offence. The petitioner no. 1 had also lodged a case with regard to the death of her son.

Counsel for the State, on the other hand, opposed the prayer and submitted that evidence has been collected in course of the investigation against the petitioners. The Sessions Judge has also cited paragraphs of the case diary in the impugned order.

Considering the allegation and the materials reflected from the record, particularly, the impugned order, I am not persuaded to privilege them with anticipatory bail. Prayer is rejected.

Let the petitioners surrender and seek regular bail in the Court below.

(Kishore Kumar Mandal, J)

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