

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55739 of 2015

Arising Out of PS.Case No. -83 Year- 2015 Thana -BAUSI District- PURNIA

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1. Anita Devi W/o Late Vijay Roy,
2. Sattam @ Baukha @ Sattan Roy S/o Indar Lal Roy,
3. Inder Lal Roy @ Indar Lal Roy, S/o Late Guddu Roy,
All three are resident of village - Bakariya, P.S. - Baisi, District - Purnia.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Advocate
Mr. Bhaskar Shankar

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 09-02-2016 Heard learned Sr. Counsel for the petitioners and learned APP for the State.

Petitioners seek bail in connection with Baisi P.S. Case No. 83 of 2015 registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

Allegedly, Vijay Rai, the son of the informant, performed love marriage with Anita Devi, the petitioner no. 1 and started living in the house of petitioners but Indar Rai the petitioner no. 3 used to abuse him and sometimes tried to assault him also and ultimately the son of the informant was killed in the in-laws house and by hanging a rope in a bamboo colour was given as of suicide.

Submission is of false implication and that the informant and others being annoyed with the said marriage implicated the petitioners taking the advantage of death of the husband of petitioner no. 1, no independent witness has come to say that the petitioners killed the deceased, there is a daughter born out of the wedlock and the petitioner no. 1 is in custody with her two years aged daughter, there is no specific allegation against any one and as such the petitioners who are suffering in custody since 09.06.2015 deserve sympathetic consideration.

Learned APP opposes the prayer of bail by submitting that the doctor has found cause of death due to asphyxia due to strangulation.

In the facts and circumstances stated above, considering that the dead body of the deceased was found in the house of the petitioners and the doctor has found the cause of death due to asphyxia due to strangulation and as such this Court is not inclined to enlarge the petitioners on bail, accordingly, their such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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