

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10444 of 2016

Arising Out of PS.Case No. -33 Year- 2015 Thana -BHAIRABASHTHAN District- MADHUBANI

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1. Urmila Devi W/o Pramod Mukhiya
 2. Urmila Devi W/o Ram Prasad Mukhiya
 3. Sita Devi W/o Buchchi
 4. Leela Devi W/o Chandrashekhar Mukhiya
 5. Ramiya Devi W/o Vinod Mukhiya
 6. Pramod Mukhiya
 7. Ram Prasad Mukhiya
 8. Binod Mukhiya
 9. Chandrashekhar Mukhiya All 6 to 9 Sons of Jhabru Mukhiya All residents of Village - Ojhol Gopalkha, P.S. - Bhairabasthan, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha

For the Opposite Party/s : Mr. Asha Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 04-03-2016 Heard learned counsels for the petitioners and the State.

The petitioners being brother's wife, aunt and brother of the husband of the victim are apprehending arrest in a case registered for the offences punishable under Sections 302,201 and 120B of the Indian Penal Code.

The prosecution case is of killing the sister of the informant namely Domni Devi after 18 years of marriage since the husband of the victim had illicit relationship with his brother's wife which was being protested by the victim.

It is submitted by the learned counsel for the petitioners that during investigation, the children of the victim have deposed to the effect that there was fight between the victim and her husband for protest being made for illicit relationship with his brother's wife when the husband assaulted the victim. The learned Sessions Judge, in the impugned order, after going through the case diary, has recorded that accusation of assault is only against the husband and it is alleged against these petitioners that they did not bother to rescue the victim.

Considering the thrust of accusation against the husband of the victim, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM, Jhanjharpur, Madhubani in connection with Bhairavasthan P.S. Case No.33 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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