

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14196 of 2016

Arising Out of PS.Case No. -213 Year- 2015 Thana -KARPI District- JEHANABAD

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1. Reshami Devi wife of Sri Ram Chandra Paswan
2. Sanju Devi wife of Sri Shiv Paswan Both are residents of Village -
Anandgarh, P.S. - Karpi (Sahar Telpa), District - Arwal.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Arvind Prasad Singh, Advocate

For the State : Mr. Pradip Nr. Kumar, APP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

5 15-07-2016 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offences punishable under section 302/34 of the Indian Penal Code.

It is contended that there is a delay of two days in lodging the First Information Report. It is alleged therein that on 11.12.2015 Shiv Paswan had teased the blind brother-in-law of the informant(the deceased) by throwing dust due to which an altercation took place on 12.12.2015 and there is a general allegation of assaulting by lathi and danda making injury to the deceased, however, it is further stated that when he was being taken to the hospital on 14.12.2015 he died in the way. Then the First Information Report was lodged. It is not stated in the First



Information Report as to what had happened on 12.12.2015 and 13.12.2015 and why the First Information Report was lodged on 14.12.2015. It is further urged that it is not stated in the First Information Report as to why his family members did not take him to the hospital or any doctor on 12.12.2015 and 13.12.2015 and why they waited for two days. It is also stated that there is no specific allegation against any person rather the allegation is general and omnibus. Learned counsel also submits that no external injury has been found on the person of the deceased. The post-mortem report reveals that there is rupture of ventricular chamber(left) of heart and death has been caused due to that, however, at the same time, no external injury has been found on his head, thorax, abdomen or any other part though there is an allegation that assault has been made by lathi and danda. It is urged that the deceased might have received injury somewhere else but in view of the fact that there has been some quarrel between the parties two days back, the petitioners have been named in the First Information Report. Both the petitioners are ladies.

Having regard to the facts and circumstances of the case, let the abovenamed petitioners, namely, Reshami Devi and Sanju Devi, be released on bail in the event of arrest/surrender before

the court below within a period of six weeks from today in Karpi (Sahar Telpa) Police Station Case No. 213/2015 on furnishing bail bonds of Rs.10,000/- (Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Arwal, subject to the conditions laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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