

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15714 of 2016

Arising Out of PS.Case No. -208 Year- 2015 Thana -BHAWANIPUR District- PURNIA

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1. Kariman Son of Late Md. Jamheer
 2. Sabila Wife of Karriman
 3. Imtiyaz Son of Kariman
 4. Mumtaz Son of Kariman
 5. Fatma Wife of Domi All are resident of Village Shahidganj, P.S.
Bhawanipur, District Purnea

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Raj Kumar, Adv.
For the Opposite Party : Mr. Rajesh Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

7 26-09-2016 Heard learned counsels for the petitioners and the State.

The petitioners being the parents, brother and sister of the husband of the victim are apprehending arrest in a case registered for the offences punishable under Sections 498A, 302 and 120B/34 of the Indian Penal Code.

The prosecution case is of administering poison to the daughter of the informant after fifteen years of the marriage since the husband of the daughter of the informant was slightly mentally abraded.

It is submitted by the learned counsel for the petitioners that the victim consumed poison as she was depressed due to

mental abrasion of her husband. There is no eye-witness to the occurrence. The postmortem report does not suggest any resisting injury and the viscera report is not on record. Moreover, the informant has subsequently retracted from his initial version and filed a petition to that effect before the learned court below.

Mr. J.N. Thakur, learned APP, after going through the case diary, submits that the postmortem report reflects no resisting injury and the case diary does not contain the FSL report of viscera.

Considering the fact that there is no eye-witness to the occurrence and retracted version of the informant, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, Purnea in connection with Bhawanipur P.S. Case No. 208 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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