

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13349 of 2015

Arising Out of PS.Case No. -428 Year- 2009 Thana -COMPLAINT CASE District-
KISANGANJ

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1. Sona Lal Roy, Son of Aitwari Roy.

2. Chamru Roy, Son of Mahendra Roy.

3. Mahendra Roy, Son of Late Biltu Roy.

All are residents of Village - Gambhir Garh, Police Station -
Sukhani in the district of Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Rina Das, Wife of Late Mantu Das, resident of Village -
Khaltabaj Jot, Police Station - Khoddibari in the district of
Darjelling (West Bengal).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar, Adv.

For the Opposite Party/s : Mr. Uday Chand Pd. (App)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

11 11-07-2016

The certified copy of Complaint Case No.428 of
2009 has been filed on behalf of the petitioners in course
of the day. Let it be kept on the record.

Heard the parties.

It is submitted by learned counsel for the



petitioners that a U.D. case was registered *vide* Case No.79 of 2009 after the death of the complainant's husband on 31.03.2009 and the *postmortem* was done on the same date, i.e. 31.03.2009. He submits that sixteen days after her husband's death, the complainant filed the present complaint petition on the basis of mere suspicion, implicating the present petitioners. He has also submitted that the petitioners were granted provisional bail by this Court *vide* order, dated 02.09.2015, passed in Cr. Misc. No.13349 of 2015, and there is nothing to show that they ever misused the privilege so granted. It has also been submitted that the petitioners have no criminal antecedent.

Considering the facts and circumstances of the case and the submissions, so advanced on behalf of the petitioners, this application is allowed. The provisional bail granted to the petitioners, abovenamed, *vide* order, dated 02.09.2015, passed in Cr. Misc. No.13349 of 2015, stands confirmed.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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