

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36985 of 2016

Arising Out of PS.Case No. -19 Year- 2016 Thana -JAMHORA District- AURANGABAD

1. Ravindra Kumar Baitha @ Ravindra Baitha S/O Ramchandra Rajak
2. Sandhya Devi W/O Ravindra Kumar Baitha @ Ravindra Baitha Both R/o
Village- Kosdihra, P.S.- Jamhore, District- Aurangabad (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lal Bahadur Singh

For the Opposite Party/s : Mr. Sri Akshay Lal Pandit

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

2 19-09-2016 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Jamhore Police Station Case No. 19 of 2016,
disclosing offences under Sections 302/201/34 of the
Indian Penal Code.

The petitioner no. 1 is the elder brother of the
husband of the deceased; whereas petitioner no. 2 is wife
of petitioner no. 1.

The deceased was married to the co-accused
Bijendra Kumar Baitha in the year 1997. From the First
Information Report, it appears that on the basis of
information received that informant's sister had been killed

by her in-laws, the First Information Report came to be registered.

Learned Counsel for the petitioners has submitted that there cannot be any reason for these petitioners to indulge in such crime, even if the general allegation of torture is accepted for the sake of argument. He has submitted that the petitioners could not have derived any advantage consequent upon the death of the deceased.

Learned Counsel for the petitioners appears to be right in his submission.

Considering above submission, this application is allowed.

Let the petitioners, namely, Ravindra Kumar Baitha @ Ravindra Baitha and Sandhya Devi, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Jamhore Police Station Case No. 19 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the

petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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