

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 5683 of 2016

Arising Out of PS.Case No. -71 Year- 2015 Thana -SANGRAMPUR District- MUNGER

- =====
1. Kishori Yadav, son of Late Bahadur Yadav
 2. Gita Devi wife of Kishori Yadav, Both resident of village- Dadiyar, P.S.- Kharagpur, District- Munger

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Ram Sevak Choudhary

For the Opposite Party : Mr. Shyam Kumar Singh (APP)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 01-04-2016 Heard learned counsel for the petitioners and the learned A.P.P. representing the State.

The petitioners seek bail in connection with Sangrampur (Tetia Bumber) P.S Case No. 71 of 2015 registered for the offences punishable under Sections 302, 201/34 of the Indian Penal Code .

First Information Report is against unknown, during investigation, it appears that the dead body was of lavli Devi the daughter of the petitioners who was married women, she was living at her parents home and not at her matrimonial village and she disappeared from her parental home and further the villagers have saw her lastly with these petitioners.

Submission is of false implication and that besides



suspicion there is nothing against the petitioners, there was no motive to commit the murder of their own daughter, there was no dispute of any kind from earlier. The deceased daughter of the petitioners was living with the petitioners happily and it reveals that she was killed by some unknown and now the petitioners have been implicated in this case and as such they deserve sympathetic consideration as they are in custody since 03.12.2015. Charge sheet has already been submitted, there is no chance of tampering with the prosecution evidence.

Learned APP opposes the prayer of bail by submitting that the petitioners being parents of the deceased did not appear to take the dead body of the deceased nor they came to identify the photo of the deceased. The maternal uncle of the deceased has supported the prosecution version and as such the petitioners do not deserve bail.

In the facts and circumstances stated above and considering that this case is based on circumstantial evidence, there is no direct evidence against the petitioners, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such petitioners are directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the

satisfaction of Sri Jivan Lal, 1st Class Judicial Magistrate, Munger arising out of Sangrampur (Tetia Bumber) P.S. Case No. 71 of 2015, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J.)

Rajiv/-

U		T	
---	--	---	--