

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11365 of 2016

Arising Out of PS. Case No. -128 Year- 2015 Thana -JALALPUR District- SARAN

- =====
1. Hari Narayan Prasad, son of Late Kishun Prasad @ Mhanth Sah
 2. Nilu Kumari, D/o Hari Narayan Prasad
- Both are resident of Village- Chaipali, P.S.- Jalalpur, District- Saran.
- Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Madhaw Prasad Yadaw, Advocate

For the Opposite Party/s : Mr. R. N. Jha (App)

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 16-03-2016

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in a case under
Sections 304B/34 of the Indian Penal Code.

As per the prosecution case, the informant's daughter
Niti Devi died on account of burn injury.

The petitioner no.1 is father-in-law and petitioner
no.2 is unmarried Nanad of the deceased.

Learned counsel for the petitioners submits that no
one has seen the occurrence and the deceased got burn injury in
course of cooking. He further submits that the informant was
informed and the dead body was disposed of only after his arrival.

In the facts and circumstances of the case, I am not
inclined to grant anticipatory bail to petitioner no.1, namely, Hari

Narayan Prasad. Accordingly, his prayer for anticipatory bail is rejected.

However, in the event of arrest or surrender before the court below within four weeks from today the petitioner no.2, namely, Nilu Kumari, be released on bail on furnishing bail bond of Rs.5000/- (Five thousand) with two sureties of the like amount each to the satisfaction of Sri S. K. Ray, Judicial Magistrate, 1st Class, Saran at Chapra in connection with Jalalpur P.S. Case no. 128 of 2015 subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Samarendra Pratap Singh, J.)

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