

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.990 of 2016

Arising Out of PS.Case No. -173 Year- 2014 Thana -KURSELA District- KATIHAR

=====

1. Dashrath Mandal son of Late Chaudhary Mandal.
2. Hawa Devi wife of Dashrath Mandal.
Both resident of Village- Kursela Basti, Police Station- Kursela, District-
Katihar Petitioners
Versus
1. The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Ratnakar Ambastha
For the Opposite Party/s : Mr. B.N. Pandey, APP

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 11-03-2016 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners seek bail in connection with Kursela P.S. Case
No. 173 of 2014 registered for the offences punishable under
Sections 368, 406, 440, 304B, 201 of the Indian Penal Code.

Fulo Kumari, the sister of the complainant/informant,
was married to Arbind Mandal, son of the petitioners on
22.05.2013, due to non-fulfillment of demand of motorcycle she
was killed and her dead body has also been made traceless by the
petitioners and other in-laws including the husband.

Submission is of false implication and that against the
petitioners there is no specific allegation, the petitioners are living
separately since long from the husband of the deceased, as alleged,
the husband has brought his wife from her Naihar and since

thereafter, she became traceless and as such the petitioners deserve sympathetic consideration to which learned APP opposes.

In the facts and circumstances stated above, considering that the petitioners are father-in-law and mother-in-law and as submitted they are living separately and as such they are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Kursela P.S. Case No. 173 of 2014, subject to the conditions that one of the bailors must be a 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.

avin/-

(Jitendra Mohan Sharma, J)

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