

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3981 of 2016

Arising Out of PS.Case No. -194 Year- 2015 Thana -PAKARIBARAW District- NAWADA

- =====
1. Umesh Prasad
 2. Arjun Mahto both sons of Late Chamari Mahto, resident of Village-Poksi, P.S.- Pakaribarawan, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bharat Lal
For the Opposite Party/s : Mr. Asha Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 16-02-2016 Heard learned counsel for the petitioners and learned
A.P.P. representing the State.

Petitioners seek bail in connection with Pakaribarawan
P.S. Case No. 194 of 2015 registered for the offence punishable
under Section 304(B)/34 of the Indian Penal Code.

Kiran Devi, the daughter of the informant was married
to Ajay Prasad, the brother of the petitioners seven years ago and
thereafter for not fulfilling the demand of Rs. one lac, she was
being tortured and further the husband performed another
marriage and ultimately Kiran Devi was killed by the petitioners
and others.

Submission is of false implication and that the

petitioners are living separately since long, having no concern with the family affairs of the deceased and her husband, there is no specific allegation against the petitioners and, as such, the petitioners who are suffering in custody since 07.12.2015, deserve sympathetic consideration to which the learned A.P.P. opposes.

In the facts and circumstances stated above, considering that the petitioners are *Bhaisur* of the deceased and as submitted they are living separately and, as such, both the petitioners 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 C.J.M., Nawada in connection with Pakaribarawan P.S. Case No. 194 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)

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