

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40951 of 2016

Arising Out of PS.Case No. -85 Year- 2014 Thana -CHARIABARIYARPUR District-
BEGUSARAI

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1. Mohit Kumar @ Mohit Kumar Sahni Son of Ram Das Sahni
2. Sunita Devi Wife of Ram Deo Sahni
3. Ram Deo Sahni Son of Bhabichhan Sahni
All are resident of village - Akopur, P.S. Cheriabariyarpur, District -
Begusarai

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar Jha

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 03-10-2016 Heard Sri Abhay Kumar Jha, learned counsel for
the petitioners and learned Addl. Public Prosecutor.

Three petitioners, who are brother of the husband of
the deceased and mother-in-law and father-in-law of the deceased
respectively, have prayed for grant of bail in Cheriabariyarpur
P.S. Case No.85/2014 registered for the offence under Section
304(B), 201, 34 of the Indian Penal Code, corresponding to
Sessions Trial No.554/2016.

By way of referring to Annexure-4 to the present
petition, learned counsel for the petitioner submits the husband of
the deceased was arrested and he was put on trial vide Sessions



Trial No.301/2015. After trial, the husband of the deceased was acquitted by Judgment of acquittal dated 16th December, 2015. He submits that after knowing the fact regarding acquittal of husband of the deceased, the learned Sessions Judge-IV has rejected the prayer for bail of the petitioners. He submits that petitioners are in custody since 16.05.2016 and in view of the fact that the husband against whom there was serious allegation than the petitioners has already been acquitted, no purpose would be served to keep them in custody.

Let the petitioners, namely, (i) Mohit Kumar @ Mohit Kumar Sahni (ii) Sunita Devi and (iii) Ram Deo Sahni be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-III, Begusarai in connection with Sessions Trial No.554/2016 (arising out of Cheriabariyarpur P.S. Case No.85/2014) with conditions that during trial, on each and every date, the petitioners shall remain physically present before the trial court. If continuously on two dates, without prior permission of the trial court, the petitioners remain absent, their bail bond shall stand automatically cancelled.

In this case charge has already been framed. Accordingly, learned trial court may take steps for early disposal

of the case.

(Rakesh Kumar, J)

