

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22004 of 2016

Arising Out of PS.Case No. -139 Year- 2015 Thana -KAKO District- JEHANABAD

- =====
1. Shiv Bahadur Yadav @ Shiv Bahadur Prasad
 2. Shyam Yadav @ Shyam Prasad, Both Sons of Nand Kishore Prasad
 3. Nand Kishore Yadav @ Nand Kishore Prasad, Son of Late Munni Yadav
 4. Tusi Yadav
 5. Neepu Kumar @ Neepu Yadav, Sons of Shambhu Yadav
 6. Shambhu Yadav, S/o Late Jagdeo Yadav, All are resident of village - Par Bigha Jagdari, P.S. Hilsa (Chiksaura), District - Nalanda

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Nand Kishore Prasad-II, Advocate
For the Opposite Party : Mr. Veena Rani Pd.(APP)

=====

CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

2 23-05-2016 Petitioners, who are relatives of the husband of the deceased, apprehend their arrest in relation to Kako (Bhelawar) P.S. Case No. 139 of 2015 registered under Sections 147, 148, 304B and 201 of the Indian Penal Code.

Learned counsel for the petitioners drawn attention of this court to the complaint as originally filed. The complaint was filed after six days of the occurrence and in the complaint itself, it is mentioned that at the time of cremation, the complainant was present, police had also been informed and police had come. He submits that this itself shows that everyone was fully aware that it

was a case of death due to illness and there was no hurry cremating the body. Taking the facts in totality, it is submitted that it was a misunderstanding which lead to lodge the case.

Be that as it may, in the event of their arrest/surrender before the court below within four weeks, let the above named petitioners be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Jehanabad, in connection with Kako (Bhelawar) P.S. Case No. 139 of 2015, subject to conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Navaniti Prasad Singh, J.)

Rajiv/Amit

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