

Arising Out of PS.Case No. -359 Year- 2015 Thana -ARA MUFFSIL District- BHOJPUR

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- Petitioner/s

1. The State of Bihar

.... Opposite Party/s

For the Petitioner/s : Mr. Madan Jeet Kumar, Advocate
Mr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. Pancha Nand Pandit (APP)

The prosecution case, in brief, is that informant recorded her fardbeyan about death of her daughter due to delivery pain. Later on post mortem on the dead body of the deceased was done and it was found that the death occurred due to throttling and

smothering.

It has been submitted by the learned counsel for the petitioners that they are innocent having committed no offence and have been implicated only on the basis of suspicion. He submits that petitioners are not named in the First Information Report, deceased Rajni Devi was pregnant and she died due to complication during her delivery. He further submits that the mother of the deceased in her statement in paragraph 19 of the case diary has stated that she attended her daughter in the hospital but later on as an afterthought she thought that petitioners had killed her daughter. It has further been submitted that the mother of the deceased Urmila Devi has also compromised, which is Annexure-4 of this application.

However, learned APP for the State submits that in the post mortem report it has been stated that the death is due to throttling of neck, hence, opposes the prayer for bail.

Be that as it may, since the mother of the deceased has entered into a compromise and attended the hospital, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten thousand) each with two sureties of the like amount

each to the satisfaction of learned Chief Judicial Magistrate,
Bhojpur at Ara, in connection with Ara Muffasil P.S. Case No.
359/15, subject to the conditions as laid down under Section
438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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