

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5277 of 2016

Arising Out of PS.Case No. -61 Year- 2015 Thana -AAYAR District- BHOJPUR

- =====
1. Shakuntala Devi W/o Ramadhar Rawani resident of Village- Parariya, P.S.- Charpokhari, District- Bhojpur.
 2. Rajesh Rawanai @ Bandal Son of Rajendra Rawani, resident of Village- Ayar, P.S.- Ayar, District- Bhojpur.

.... Petitioners

Versus

1. The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Advocate
Mr. Prabhat Kumar Singh

For the Opposite Party/s : Mr. B. N. Pandey (App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 30-03-2016

Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners seek bail in connection with Ayar P.S. Case No. 61 of 2015 registered for the offences punishable under Sections 302, 201/34 of the Indian Penal Code.

Manju Kumari @ Anju, the daughter of the informant, was married to Lal Babu Kahar the son of petitioner no. 1 eight years ago and allegedly, she was being tortured and ultimately the informant was informed that Manju Kumari fled away from the house but her dead body was identified which was kept in bag with the help of forehead and sari.

Submission is of false implication and that the petitioner no. 1 is mother-in-law and petitioner no. 2 is son-in-law



of petitioner no. 1, there is no legal and cogent material against the petitioners, the petitioners are living separately since long, during investigation the statement of the minor girl aged 5 years of the deceased was recorded wherein she has stated about the petitioner no. 2 but she has admitted that her grandfather (Nana) told her to say like this and as such on her statement no reliance can be placed and further the husband is responsible and not the petitioners.

Learned APP fairly submits that the statement of the daughter of the deceased was recorded under Section 164 Cr.P.C. wherein she has made allegation against petitioner no. 2 also.

In the facts and circumstances stated above, considering that the husband of the deceased is in custody, the petitioners above named 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, Bhojpur, Ara in connection with Ayar P.S. Case No. 61 of 2015, 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/-

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

(Jitendra Mohan Sharma, J)