

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49294 of 2015

Arising Out of PS.Case No. -10 Year- 2014 Thana -SAHKUND District- BHAGALPUR

- =====
1. Ashok Kumar Mishra, Son of Late Basukinath Mishra
 2. Putul Devi @ Premlata Devi, Wife of Sri Ashok Kumar Mishra.
- Both are resident of village- Sadpur, P.S.- Sahkund, District- Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suman Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Arvind Kr.Panday(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 20-01-2016 Heard learned counsel for the petitioners and the

learned counsel appearing on behalf of the State.

The petitioners, being the father-in-law and the mother-in-law of the deceased lady, are apprehending their arrest in connection with Sahkund P.S. Case No.10 of 2014 for allegedly having committed the offences under Section 304B/34 of the Indian Penal Code.

Case diary in the present case was called for, which has since been received.

Learned counsel for the petitioners submits that actually it was a case in which the girl in question had received burn injuries while heating milk for feeding her one year old child at 11:00 O'Clock in the night. It is further submitted that

soon after the deceased lady suffered burn injuries, the petitioners along with their son Vishal Kumar Mishra took the girl to Mayaganj Hospital, where treating her for five days, she succumbed to her burn injuries. It is further submitted that the victim girl in her statement before the police in the hospital has stated that she got burn injuries while she was heating milk for the child. It is further submitted that the petitioners' son-husband of the deceased lady is already in custody.

Learned counsel appearing on behalf of the State after perusal of the case diary submits that save and except the allegations made in the F.I.R., there is no cogent material in the case diary so as to implicate these petitioners.

Considering the aforementioned facts and circumstances and also in view of statement made in the present application that these two petitioners are taking care of the child of the deceased lady, let both the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 the learned Chief Judicial Magistrate, Bhagalpur, in connection

with Sahkund P.S. Case No.10 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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