

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56177 of 2015

Arising Out of PS.Case No. -115 Year- 2015 Thana -MASRAKH District- SARAN

- =====
1. Lilawati Devi, Wife of Kanhayia Lal Prasad,
 2. Manisankar Prasad, Son of Kanahaiya Lal Prasad, Both resident of Village- Mashrak Gola, P.S. Mashrak, District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 24-02-2016

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 304B/34 of the Indian Penal Code.

Allegation against the petitioners is that they have caused death of sister of the informant.

It is submitted on behalf of the petitioners that they have got no criminal antecedent. Petitioner no. 1 is mother-in-law of the deceased and petitioner no. 2 is husband of the deceased. It is a case of unnatural death which is evident from Annexure-2 to the supplementary affidavit. It is further submitted that a compromise has already been entered into between the parties.

On behalf of the State, it is submitted that petitioner no. 2 is husband of the deceased and the main allegation has been levelled against him.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to petitioner no. 2, same is rejected.

Any how, if petitioner no. 2 surrenders in the court below within a period of six weeks from today and pray for regular bail,

same shall be considered and disposed of on its own merit without being prejudiced by this order.

As far as, the above named petitioner no. 1 is concerned, considering the fact that she is a lady, she, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra, in connection with Mashrak P.S. Case no. 115 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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