

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1886 of 2017

Arising Out of PS.Case No. -272 Year- 2016 Thana -MADHUBANI TOWN District-
MADHUBANI

- =====
1. Kishore Prasad @ Kishore Prasad Kishore S/o Ram Narayan Mahto
 2. Anju Devi W/o Kishore Prasad Kishore @Kishore Prasad Both Resident of Village- Nonia toli, P.S. Madhubani, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Dr. Indiwari Kumari

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

- 2 20-01-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P for the State.

The petitioners seek bail in a case for the offences punishable under section 304 (B)/34 of the I.P.C

Allegedly, Bandana Devi, the daughter of the informant, was being tortured by the petitioners and other in-laws resulting she died due to burning.

Submission is of false implication and that the informant has now filed a petition in the court below regarding innocence of the petitioners, from plain reading of the FIR itself it reveals that the deceased has committed suicide, the petitioners are living separately since long from the deceased and her husband,



the petitioners have got no connection with the family affairs of the deceased and her husband and as such the petitioners deserve sympathetic consideration as they are in custody since 01.11.2016.

The learned A.P.P. opposes prayer for bail but fairly submits that the petitioners are Bhaisur and Gotni of the deceased.

In the facts and circumstances as stated above, the petitioners are directed to 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 C.J.M. Madhubani in Madhubani (Town) P.S. Case No. 272 of 2016, 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.

(Jitendra Mohan Sharma, J)

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