

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6562 of 2017

Arising Out of PS.Case No. -77 Year- 2016 Thana -NAWAKOTHI District- BEGUSARAI

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1. Sita Devi, W/o Sattan Sahni,
2. Bibha Devi, W/o Santosh Sahni, Both resident of village + P.S. Naokothi,
District - Begusarai

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Advocate

For the Opposite Party/s : Mr. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-03-2017 Heard learned counsel for the petitioners.

This is an application for bail in connection with Naokothi P.S.Case No. 77 of 2016 registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that from perusal of the FIR it appears that the statement made therein is contradictory as it has been alleged that petitioners have been pooling the vest of the girl, due to which she died, but later on it has been alleged that due to strangulation she died and it has come during course of investigation that child has become unconscious remained as it is during the whole night and no treatment was meted out to her and occurrence of scuffling took place between the children and petitioners are in custody since 17.11.2016.

Heard learned APP also, who has opposed the prayer for bail.

Having heard both sides and considering the fact that there is no intention to kill the child and even from the case diary



it appears that during whole night the child has become unconscious and no treatment was meted out to her, due to which she died and petitioners are in custody for four months, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Begusarai, in connection with Naakothi P.S.Case No. 77 of 2016, subject to the conditions that :-

(i) One of the bailors of the petitioners shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.

(ii) The petitioners will not induce any witness or tamper with the evidence.

(iii) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of their bail.

(Vinod Kumar Sinha, J)

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