

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31487 of 2017

Arising Out of PS.Case No. -434 Year- 2017 Thana -SAHARSA District- SAHARSA

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1. Ashik Sharma @ Ashik Lal Sharma, S/o Late Sukan Sharma,
2. Lukni Devi , W/o Ashik Sharma @ Ashik Lal Sharma,
Both Resident of Village- Rupnagara Ward No. 40, P.S. & District-
Saharsa. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Sri Neeraj Kumar @ Sanidhya
Mr. Subesh Sharma

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

2 20-07-2017 Heard Sri Neeraj Kumar @ Sanidhya, learned counsel,

assisted by Sri Subesh Sharma, learned counsel for the

petitioners and learned Additional Public Prosecutor.

Two petitioners , who are father –in- law and mother-
in -law of the deceased, have prayed for grant of bail in the event
of arrest or surrender in Saharsa Sadar P.S. Case No. 434 of 2017
registered for the offence under section 304B, 201, 34 of the
Indian Penal Code, 1860.

Learned counsel for the petitioners has drawn my
attention to the F.I.R. at page no. 11 and submits that the
informant himself has stated that sister of the informant was
married with the son of the petitioners about 12 years back , even
then , Police has registered the case under Section 304(B) of the
Indian Penal Code, 1860. He further submits that the victim had



consumed poison and death had occurred. He further submits that there was no direct accusation against the petitioners save and except that petitioners are father- in- law and mother- in- law of the deceased however, the husband of the deceased namely Kishor Sharma has surrendered in this case and he is already in custody.

Considering the fact that marriage had taken place about 12 years back as stated in the F.I.R. as well as the fact that husband is in custody and petitioners are father- in- law and mother- in- law of the deceased, there is no reason to refuse the prayer for anticipatory bail.

Accordingly in the event of arrest or surrender within a period of six weeks from today, let both the petitioner Ashik Sharma @ Ashik Lal Sharma and Lukni Devi be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate at Saharsa / concerned court in connection with Saharsa Sadar P.S. Case No. 434 of 2017 subject to the conditions as contemplated under section 438(2) of the Code of Criminal Procedure 1973.

(Rakesh Kumar, J)

Praful/-

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