

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13393 of 2016

Arising Out of PS.Case No. -490 Year- 2015 Thana -FATUHA District- PATNA

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1. Gopal Sharma son of Ramanand Sharma
 2. Sudha Kumari wife of Gopal Sharma Both residents of village - Naraina, Police Station - Fatuha, District - Patna, Present Address : - Station Road Nalvandhava Gali (renter in House of Radhe Lal Sah), Police Station - Fatuha, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sucheta Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

7 03-02-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Fatuha P.S. Case No. 490 of 2015 for the offences punishable under sections 306, 201 and 34 of the I.P.C.

Allegedly, the petitioners being father and step mother of the deceased Lovely used to torture her and due to the electric shock she died and further her dead body was cremated without waiting arrival of the informant.

Submission is of false implication and that at the time of the occurrence the petitioners were not present in the house and Lovely received electric shock accidentally and thereafter she



died, the petitioners have come thereafter in the house and the witnesses during investigation, vide paragraphs- 10, 11, 12, 22 and 23 of the case diary, have stated regarding innocence of the petitioners, it was an accidental death due to the electric shock, no case of abetment is made out and as such the petitioners deserve sympathetic consideration, the case has been registered under sections 306, 201 and 34 of the I.P.C.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners.

In the facts and circumstances as stated above, considering the statement of those witnesses including the owner of the house, the petitioners, in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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. J.M. Patna City in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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