IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36136 of 2017

Arising Out of PS.Case No. -22 Year- 2017 Thana -ARA MUFFSIL District- BHOJPUR

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1. Hira Devi @ Heerajhari Devi, W/o Sri Ram Sah.
2. Sri Ram Sah, S/o Late Gaya Sah,

Both are resident of Village- Nirmalpur, P.S. Ara Mufassil, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Amarendra Kumar
For the Opposite Party/s : Mr. Akhileshwar Dayal

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 31-10-2017 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners are languishing in judicial custody since 31.05.2017 in connection with Ara Muffasil P.S. Case No. 22/2017 for offences punishable under Sections 304-B, 201/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that his sister Mina Kumari was married to one Pankaj Sah in the year 2014 and was killed by the petitioners, who are mother-in-law and father-in-law respectively along with other in-laws for non-fulfillment of demand of motorcycle.

It has been submitted by the learned counsel for the

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petitioners that they are innocent and have been falsely implicated in the aforesaid case as general and omnibus allegations have been levelled against all the in-laws of the deceased. He submits that a compromise has been arrived between the parties that the informant's side does not want to proceed with the case.

However, learned APP for the State opposes the prayer for bail stating therein that the compromise has not been taken into consideration by the learned court below in the impugned order.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner in connection with Ara Muffasil P.S. Case No. 22 of 2017, pending in the court of learned Chief Judicial Magistrate, Bhojpur at Ara.

Application is, accordingly, rejected. However, petitioner is at liberty to move the learned court below placing the compromise petition, who will decide the matter on its own merit.

(Nilu Agrawal, J)

Rajesh/-

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