

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47383 of 2017

Arising Out of PS.Case No. -33 Year- 2015 Thana -SAMHO District- BEGUSARAI

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1. Arbind Sah,
2. Arjun Sah,
Both sons of Ramadhin Sah, Resident of Village- Sonbarsha, P.S.- Samho,
District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Smt. Indu Bala Pandey

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 29-11-2017 Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners seek bail in connection with Samho P.S.

Case No. 33/2015 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 daughter Rampari Devi was married to one Bhim Sao in

the year 2010 and because of torture for non-fulfillment of Rs.

50,000/- and TV, the petitioners along with other family members

including the husband have killed her and disposed off the dead

body without their information.



It has been submitted by the learned counsel for the petitioners that they are elder brother-in-laws (Bhainsurs) of the deceased and the husband is already in custody. He submits that both are living separately, as is evident from paragraphs 56 and 57 of the case diary and that the deceased consumed poison as her husband had extra marital relations with his bhabhi. He further submits that the petitioners are languishing in judicial custody since 20.07.2017 for no fault and some of the accused persons have been granted pre-arrest bail by this Court.

However, learned APP for the State opposes the prayer for bail stating therein that earlier also a case under Section 498-A was filed by the deceased against her husband and other in-laws including the petitioners.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged 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 learned Sub-Divisional Judicial Magistrate, Begusarai, in connection with Samho P.S. Case No. 33/2015, subject to the conditions that :

- (i) One of the bailors would be a close relative of the



petitioners having sufficient immovable property, who will file an affidavit stating his relationship with the petitioners.

- (ii) Petitioners will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of their bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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