

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1054 of 2017

Arising Out of PS.Case No. -457 Year- 2016 Thana -MARHAURA District- SARAN

- =====
1. Dukhani Devi, Wife of Jainath Mahato,
 2. Savita Devi, Wife of Kuber Mahato, Both are Resident of Village - Semal Sarai, P.S. - Marhowrah, District - Saran (Chapra).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. Md. Sufiyan

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 27-02-2017 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 Marhowrah P.S. Case No. 457 of 2016 for the offence punishable under section 302/34 of the I.P.C.

Anita Devi, the sister of the informant, was married to Dinanath Mahto and out of the wedlock there were three children but due to non fulfillment of demand of motorcycle the husband and other in-laws including the petitioners burnt Anita Devi, Suman Kumari, aged six years and Vikas Kumar, aged 1 ½ years to death.



Submission is of false implication and that the petitioners are old mother-in-law and Nanad living separately since long from the husband and the deceased, Anita Devi was burnt accidentally when she was cooking food and her two children also went there resulting they were also burnt to death, there is no specific allegation against the petitioners and as such they deserve sympathetic consideration, during investigation also no specific allegation has been attributed against the petitioners.

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

In the facts and circumstances as stated above, considering the submission, the petitioners, in case 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. C.J.M. Saran at Chapra 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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