

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53530 of 2016

Arising Out of PS.Case No. -97 Year- 2016 Thana -ANDER District- SIWAN

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1. Jagarnath Bhagat, S/o Shiv Sharan Bhagat.
2. Shiv Sharan Bhagat, S/o Late Dukhi Bhagat.
3. Sarita Devi, W/o Jagarnath Bhagat
All are R/o Vill.- Gothi, P.S.- Andar, Distt.- Siwan.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ajay Kumar Pandey, Advocate
For the Opposite Party : Mr. Jai Narain Thakur (APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 27-01-2017 Heard learned counsel for the petitioners and the

State.

The petitioners seek bail in a case instituted for the
offence under Sections 304(B), 201/34 of the Indian Penal Code.

It is alleged in the written report that marriage of
Sabita Devi, sister of the informant was solemnized with Ramvilas
Bhagat about 3 years back. It is further alleged that all the accused
persons were giving pressure upon her for demand of
Rs.1,00,000/- and one motorcycle and finally she was killed by the
accused persons for non-fulfillment of the aforesaid demand. The
informant went to sasural of his sister and inquired then
Shivsharan Bhagat (petitioner no.2) told that she has died on
account of snake bite.



In the instant case from written report itself, it appears that the husband Ramvilas Bhagat has not been made accused by the informant. These petitioners are said to be Bhaisure, Father-in-law and Gotani of the deceased. Learned counsel for the petitioners has also drawn attention at Annexure-2 that a compromise petition has also been filed in the lower court, wherein informant has stated that she was never tortured for demand and the case has been compromised.

Learned A.P.P. has submitted that general and omnibus allegation has been levelled against these petitioners.

Petitioner nos.1 and 3 are in custody since 24.08.2016 and petitioner no.2 is in custody since 16.08.2016.

Considering the aforesaid facts and circumstances of the case, let the petitioners above named, 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 learned Judicial Magistrate-1st Class, Siwan, in connection with Andar P.S. Case No. 97 of 2016, subject to the condition that both the bailors will be the close relative of the petitioners.

(Sanjay Priya, J.)

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