

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10237 of 2017

Arising Out of PS.Case No. -118 Year- 2016 Thana -BIND District- NALANDA
(BIHARSHARIFF)

- =====
1. Ranjana Devi @ Rajni Kumari @ Niranjana Kumari, wife of Shri Ramu Prasad
 2. Ramu Prasad S/o Late Ramdhari Mahto, both are residents of village- Kushhar, Police Station- Bind, District-Nalanda, At present resident of village – Daulatpur, Police Station- Okri, District-Jehanabad
 3. Vibha Kumari @ Bibha Devi, wife of Shri Bhpendra Kumar @ Gope
 4. Bhupendra Kumar @ Gope, S/o Late Shiv Nandan Prasad, Both are resident of Village –Kushar, Police Station – Bind, District- Nalanda, at present resident of village- Mahepur, Police Station – Barbigha, District-Sheikhpura

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binit Kumar, Advocate &
Mr. Raj Kishor Prasad, Advocate

For the State : Mr. Sri Surendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-03-2017 Heard the parties.

At the outset it has been submitted by learned counsel for the petitioners that the petitioner No.4, Bhupendra Kumar @ Gope, has been arrested and as such prayer for anticipatory bail on his behalf has become infructuous.

Accordingly, the prayer for anticipatory bail of the petitioner No.4 is rejected as having become infructuous.

The petitioner Nos. 1 to 3 are apprehending their arrest in connection with Bind P. S. Case No. 118 of 2016



registered for the offences punishable under Sections 302 328/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that petitioner Nos. 1 and 3 are aunts (Fua) and petitioner No. 2 is uncle (Fufa) of the deceased and there is allegation against the petitioners as well as mother of the deceased and other persons that they have administered poison to the deceased due to which she died. It is further submitted that the mother of the deceased has performed second marriage and the deceased was from the first marriage and after death such allegation has been alleged against them and the petitioners have no concern with the family affairs of the mother of the deceased or the step father of the deceased.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that the petitioner Nos. 1 to 3 are aunts (Fua) and uncle (Fufa) of the deceased and they have no concern with the step father and mother of the deceased, let the petitioner Nos. 1 to 3, above named, in the event of their arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial



Magistrate-VI, Nalanda at Biharsharif in connection with Bind P.S. Case No. 118 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the police, otherwise, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

S.Pandey/-

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