IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 23396 of 2017

Arising Out of PS.Case No. -125 Year- 2016 Thana -PHULPRAS District- MADHUBANI

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1. Rambilash Yadav, Son of Late Bhailal Yadav.
2. Ghurani Devi Wife of Rambilash Yadav, Both Resident of Village- Phulpras, P.S. Phulpras, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate
For the State : Mr. Upendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 10-07-2017

Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend arrest in Phulpras P.S. Case No. 125 of 2016 dated 27.04.2016 instituted under Sections 302/201/34/120B of the Indian Penal Code.

3. The allegation against the petitioners, who are father-in-law and mother-in-law of the deceased is of general ill treatment of the deceased.

4. Learned counsel for the petitioners submitted that from the *fardbeyan* of the informant, who is the mother-in-law of the deceased as well as the so called confessional statement of co-accused (not the petitioners) before the police, there is absolutely no

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direct allegation of any overt act against the petitioners and merely it has been said that they also ill treated the deceased. Learned counsel submitted that it has specifically come that the husband of the deceased i.e., the son of the petitioner, who was already in jail, had got the deceased murdered through his accomplice in which another son of the petitioners was instrumental but nowhere has it come that the petitioners were in any way directly related to such murder. It was further submitted that the petitioners have no criminal antecedent.

5. Learned A.P.P. submitted that the petitioners, who are father-in-law and mother-in-law of the deceased also used to ill treat her.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. II, Jhanjharpur, Madhubani in Phulpras P.S. Case No. 125 of 2016, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The petitioners shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate

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or appear on two consecutive dates, without sufficient cause, shall lead to cancellation of their bail bonds.

(Ahsanuddin Amanullah, J.)

P. Kumar

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