

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.452 of 2017

Arising Out of PS.Case No. -354 Year- 2016 Thana -SAHARSA District- SAHARSA

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1. Rani Devi, W/o Arjun Yadav.
 2. Bharti Devi D/o Arjun Yadav, Both Residents of Village Sarsandi Police Station Gwalpara & District Madhepura.
 3. Sushil Sharma S/o Arun Sharma, R/o Village Mathahi, P.S. & District-Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Verma

For the Opposite Party/s : Mr. Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-02-2017 Heard the parties.

This application has been filed in connection with Saharsa Sadar P.S.Case No.354 of 2016 for the offence under Sections 302, 201 and 34 of the Indian Penal Code.

It is submitted on behalf of the petitioners that except the suspicion, there is nothing against the petitioners and one of the co-accused, against whom also there was suspicion, has already been granted bail by this Court, vide order dated 08.11.2016 passed in Cr. Misc. No.36464 of 2016.

Heard learned A.P.P. as well as the learned counsel for the informant. They have opposed the prayer for bail, stating that the petitioner no.2 is wife and petitioner no.1 is mother-in-law of the



deceased and the petitioner no.3 is another person, with whom it is alleged that petitioner no.2 has illicit relation, as such they do not deserve bail.

Having heard both sides and in view of the fact that there is only suspicion against the petitioners as also one co-accused, Sanjay Kumar Yadav has already been granted bail by this Court, as stated above, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of C.J.M., Saharsa in connection with Saharsa Sadar P.S.Case No.354 of 2016.

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 disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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