

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36208 of 2016

Arising Out of PS.Case No. -41 Year- 2013 Thana -UJIYARPUR District- SAMASTIPUR

- =====
1. Maheshwar Sah S/o- Late Jaddu Sah
 2. Permila Devi w/o- Maheshwer Sah
 3. Ruby Devi D/o- Maheshwer Sah, Resident of village- Belari, P.S.-
Ujiarpur, Distt.- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 20-03-2017 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case
registered under Section 304 of the Indian Penal Code.

Allegation is that the accused persons including the
petitioners caused the death of the son of the informant.

It has been submitted on behalf of the petitioners that
the petitioners have got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioners. The petitioners have falsely been implicated in the
present case. Petitioner No.1 is the father-in-law of the deceased,
petitioner No.2 is the mother-in-law of the deceased and petitioner



No.3 is the wife of the deceased. From perusal of the postmortem report, it is evident that there is no external or internal injury on the body of the deceased. The cause of death is subject to the viscera report. Perused the viscera report. It is not a case of poisoning. The deceased is said to have died in course of treatment as he was keeping ill. The police has submitted final form after investigation.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, the provisional anticipatory bail granted to the petitioners vide order dated 06.09.2016 is hereby confirmed in connection with Complaint case No.89 of 2014 arising out of Ujiarpur P.S. case No.41 of 2013 pending in the court of Additional Chief Judicial Magistrate, Dalsingsarai, Samastipur.

Let the viscera report be returned to the Director, Forensic Science Laboratory, Muzaffarpur.

(Sudhir Singh, J)

Narendra/-

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