

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10238 of 2017

Arising Out of PS.Case No. -131 Year- 2016 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Surendra Singh, Son of Tripti Singh, resident of Village- Kajarhan, P.S.- Madhuban, District East Champaran.
 2. Punam Kumari @ Punam Devi, D/o Surendra Singh, Resident of Village- Kajarhan, P.S.- Madhuban, District- East Champaran.
 3. Gauri Devi, W/o Surendra Singh, Resident of Village Kajarhan, P.S.- Madhuban, District- East Champaran.
 4. Kamalesh Kumar, Son of Surendra Singh, Resident of Village- Kajarhan, P.S.- Madhuban, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-03-2017 Heard the parties.

The petitioners are apprehending his arrest in connection with Madhuban P.S.Case No.131 of 2016 registered for offences punishable under Sections304(B) and 34 of the Indian Penal Code.

It is submitted on behalf of the petitioners that petitioner no.1 is father-in-law, petitioner no.2 is mother-in-law, petitioner no.3 is 'Nanad' and petitioner no.4 is 'Dewar' of the deceased. It is further submitted that falsity of the prosecution case will appear from the F.I.R. as the husband of the deceased had informed the family members of the maternal side of the deceased that he has separated from his father and mother but later on all the



allegations have been levelled not only against the husband but father, mother, sister and brother of the petitioners also. It is also submitted that now they have settled the matter outside the court.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that the petitioners are father-in-law, mother-in-law, 'Nanad' and 'Dewar' of the deceased, let the petitioners, 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) each with two sureties of the like amount each to the satisfaction of A.C.J.M. IV, East Champaran, Motihari in connection with Madhuban Police Station Case No.131 of 2016 dated 19.05.2016, 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 their bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)



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