IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7830 of 2017

Arising Out of PS.Case No. -398 Year- 2016 Thana -PURNEA SADAR District- PURNIA

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1. Shishu Murmu, son of Late Raghu Murmu,
2. Suraj Muni Tuddu, wife of Shishu Murmu,
3. Marang May Hembram, wife of Late Raghu Murmu, All resident of village - Hajirganj, P.S. Sadar, District - Purnea

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :
For the Petitioner/s : Mr. Kumar Uday Singh, Advocate
For the Opposite Party/s : Mr. Aditya Narayan Singh 1, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-02-2017 Heard learned counsel for the petitioners.

This is an application for bail in connection with Sadar P.S.Case No. 398 of 2016 registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that so far petitioner No.1 is concerned, he is husband, and petitioner Nos. 2 and 3 are concerned, they are second wife and mother-in-law. It has further been submitted that she was assaulted two months earlier and received injuries and thereafter she went to her parents where she was treated and died thereafter and her dead body was brought to the house of the petitioners and thereafter she was cremated and the present case has been lodged. It has further

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been submitted that with regard to the earlier occurrence no FIR has been lodged as the same was concocted and false story.

Heard learned APP also.

Having heard both sides and considering the nature of allegation, let the petitioner Nos.2 and 3, above named, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Purnea, in connection with Sadar P.S.Case No. 398 of 2016, subject to the conditions that :-

(i) One of the bailors of the petitioners shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.

(ii) The petitioners will not induce any witness or tamper with the evidence.

(iii) The petitioners shall cooperate in the disposal of trial and make himself 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 reason, the prosecution is free to move the cancellation of their bail.

So far as prayer for bail of petitioner No.1 is

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concerned, at this stage I am not inclined to grant bail to him.

However, considering the fact that he is in custody, learned trial court is directed to expedite the trial and conclude it as early as possible.

With the above observations, this application is disposed of.

(Vinod Kumar Sinha, J)

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