

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53495 of 2016

Arising Out of PS.Case No. -182 Year- 2016 Thana -HARLAKHI District- MADHUBANI

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1. Biltu Das, Son of Late Asharfi Das,
2. Karo Devi, Wife of Biltu Das, Both resident of village - Kamalabar Patti,
P.S. Harlakhi, District - Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 12-01-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with a
case registered for the offences punishable under Section 306/34
of the Indian Penal Code.

Learned counsel for the petitioners submits that the two
petitioners are distantly related to the family of the deceased lady
and, admittedly, no case under Section 306 of the Indian Penal
Code is made out. It is evident that there was no history of
animosity between the parties and the said story as made out in the
First Information Report has been carved out only to subject the
petitioners to malicious prosecution. It is further submitted that
these petitioners are living separately and there is nothing on
record to show that there was enmity between the parties.



Considering the nature of allegation made and that petitioner No. 1 had earlier been made accused in two cases whereas petitioner No. 2 has no criminal antecedent, let the petitioner above named, in the event of their arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Benipatti, District-Madhubani in connection with Harlakhi P.S. Case No. 182/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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