

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22949 of 2017

Arising Out of PS.Case No. -168 Year- 2016 Thana -BEUR District- PATNA

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1. Meena Devi, W/o Late Kallu Rai,
2. Akash Kumar, Son of Late Kallu Rai, null
3. Deepak Kumar, Son of Late Kallu Rai, All are R/o Village- Nirpura, PS-
Beur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishal Saurabh, Advocate
For the Opposite Party/s : Mr. Smt. Veena Kumari Jaiswal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 09-11-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Beur Police Station Case No. 168 of 2016, disclosing
offences under Sections 304(B)/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted
that there is general and omnibus allegation against these
petitioners and no specific overt act is attributed to them. In fact,
the occurrence took place on 22.06.2016 whereas the F.I.R. has
been lodged on 27.06.2016 after lapse of five days without
explaining the plausible delay, which itself creates doubt over
the prosecution version. Moreover, the petitioners happen to be



mother-in-law and Devars of the deceased and they have not played any role in the alleged occurrence. As a matter of fact, earlier the deceased had try to commit suicide by consuming poison but her life was saved after treatment, which is evident from annexure-2 and repeatedly the deceased try to commit suicide by hanging herself and when the petitioners saw her hanging, they taken her to the hospital for her treatment but she could not be saved, which is evident from annexure-3 Hence, the petitioners deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Patna, in connection with Beur Police Station Case No. 168 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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