

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40671 of 2017

Arising Out of PS.Case No. -154 Year- 2016 Thana -HISUA District- NAWADA

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1. Anup Sao, Son of Late Hira Sao,
2. Saro Devi, W/o Late Hira Sao, Both are R/o Village- Maluka Bigha, P.S.-
Hisua, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 15-12-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Hisua P.S. Case No. 154 of 2016, registered under Sections 302 and
120B/34 of the Indian Penal Code.

The allegation of informant is that marriage of his sister
was performed before eight years with Prem Sao. Thereafter, her
sister was being tortured, regarding which, earlier case was also
lodged, but in society the matter was compromised before 15 days.
Thereafter, sister of informant was accompanied by her husband,
Prem Sao. Thereafter, on 18.07.2016, in the morning, informant
received information about killing of his sister by her husband, Prem
Sao, and both petitioners, who are brother-in-law and mother-in-law



of the deceased, sister of the informant and disposed of her dead body.

Learned counsel for the petitioners submits that admittedly the marriage of sister of informant was performed before eight years with Prem Sao and out of wedlock there are two children. In fact, due to illness she died and on information the informant came and in his presence, the postmortem was done, but with ulterior motive the present case has been lodged with false allegation. Moreover, petitioners are brother-in-law and mother-in-law of sister of the informant and no specific overt act has been attributed against them. Further submission is that Prem Sah, husband of the deceased, is in custody.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nawada, in connection with Hisua P.S. Case No. 154 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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