

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37106 of 2018

Arising Out of PS. Case No.-110 Year-2017 Thana- SAHAJITPUR District- Saran

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1. SIPAHI RAI @ SIPAHI YADAV , S/o Late Sheodatt Rai,
 2. Uma Devi W/o Sipahi Rai @ Sipahi Yadav,
 3. Upendra Rai S/o Sipahi Rai @ Sipahi Yadav, All R/o Vill.- Hafizpur, P.S.- Sahajitpur, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate
For the Opposite Party/s : Mr. Sri Braj Kishore Prasad (APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 29-06-2018 Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners seek bail in connection with Sahajitpur P.S. No. 110 of 2017 registered for the offenses punishable under Sections 304 (B), 328 of Indian Penal Code.

Allegedly, Anita Devi @ Nibha the daughter of the informant was married with Madhu Rai @ Munna Rai on 20.03.2017 and thereafter husband and the petitioners started demanding of Rs. 1,00,000/- and ultimately she was killed.

Submission is of false implication and that the petitioners are father-in-law, mother-in-law and dewar of the deceased, they are living separately from the husband of the deceased since long, there is no specific allegation against them.



The case has been compromised between the parties which is evident from the impugned order itself and the petitioners are suffering in custody since 21.03.2018. The husband is in custody, and as such, they deserve sympathetic consideration.

Learned A.P.P. fairly submits that from Para 3 of the impugned order it reveals that compromise has arrived at between the parties as per submission of the petitioners.

In the facts and circumstances stated above, the petitioners are directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned A.C.J.M. VIII, Saran at Chapra, in connection with Sahajitpur P.S. case No. 110 of 2017, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J.)

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