

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20881 of 2018

Arising Out of PS.Case No. -459 Year- 2017 Thana -CHAPRA TOWN District- SARAN

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1. Baban Bihari Singh, S/o Late Baij Nath Singh,
2. Madhuri Singh W/o Baban Singh, Both are R/o Mohalla- Sadhanapuri,
P.S.- Chapra, Town, District- Saran (Chapra).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar Singh

For the Opposite Party/s : Mr. Sri Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-06-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Chapra Town P.S.Case nO.459 of 2017, registered for offences punishable under Sections 328, 302 and 201/34 of the Indian Penal Code.

Allegation against the petitioners, who happens to be father and mother of the deceased, is that they have administered *Selfash* to the deceased causing his death.

Submission of the learned counsel for the petitioners is that his wife was living at *maike* as she had strained relationship with the deceased and as a matter of fact the deceased came to his house and started vomitting, as such he was taken to Chapra Hospital and from there he was taken to PMCH and from there



father of the deceased and father of the informant had taken him for better treatment but during the treatment he died and as such the dead body was cremated by the father of the informant as well as father of the deceased, which will appear from the materials collected during the investigation but father and mother of the deceased have been made accused at the instance of the wife of the deceased, who is not eye witness and having grudge against this petitioner.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above that , let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Chapra, Saran in connection with Chapra Town P.S.Case no.459 of 2017dated 3.10.2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.



(iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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