

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59265 of 2017

Arising Out of PS.Case No. -95 Year- 2017 Thana -BHANGWANPUR HAT District- SIWAN

- =====
1. Basmati Devi @ Basmati w/o Late Sawalia Tiwari
 2. Ruchi Devi w/o Jai Prakash Tiwari Both are residents of village - Aruan, P.S. Bhagwanpur Hat, District - Siwan
 3. Hemant Singh @ Hemant Kumar Singh S/o Makeswar Singh Resident of Village - Sawha, P.S. Ishuwapur, District - Chapra.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dineshwar Pandey

For the Opposite Party/s : Mr. Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 09-01-2018 Heard the learned counsel for the petitioners and the learned counsel for the State.

The petitioners seek anticipatory bail in connection with Bhagwanpur Hat PS case no. 95 of 2017 registered for the offences punishable under Section 302, 201 read with Section 34 of the Indian Penal Code.

The allegation in the ferdbeyan is regarding the accused persons killing the daughter of the informant and cremating her dead body.

The learned counsel for the petitioner submits that the accused persons/ the petitioners herein are innocent and in fact, the children of the deceased have stated that the deceased died on



account of illness. It is further submitted that the accused persons had informed the informant's side before cremation of dead body of the deceased and thereafter, it appears that the relatives of the deceased persons had arrived.

The case diary is available before this Court and from perusal thereof it appears that the children of the deceased had stated that the deceased died on account of illness. It has also been stated that their maternal grand father had reached at the place of occurrence after he was informed by the accused persons. It is also submitted that the petitioners have a clean antecedent.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender within six weeks before the concerned court, the petitioners above named are directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Siwan in connection with Bhagwanpur Hat PS case no. 95 of 2017, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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