

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.2133 of 2018**

Arising Out of PS. Case No.-162 Year-2017 Thana- CHOUTARWA District- West  
Champaran

- 
1. Batasha Devi @ Batasa Devi, Wife of Jamuna Yadav,
  2. Jamuna Yadav, Son of Late Thakur Yadav, Both are resident of village- Hardi Nadwa, Police Station- Chautarwa, District- West Champaran (Bettiah).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Lokesh Kumar Singh  
For the Opposite Party/s : Mr. SRI AHMAD ALI

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**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

- 3      07-02-2018              Heard learned counsel for the petitioners and learned  
counsel for the State.

The petitioners, who are in custody, seek bail in connection with Chautarwa P.S. Case No. 162 of 2017 registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

Informant is the father of the deceased who in his written report has stated that he married his daughter with Nanu Yadav ten years ago. It has been further stated that unfortunately Nanu Yadav died. Thereafter his daughter Sita Devi is residing in her Sasural but petitioners assaulted her and



threatened to kill her. It has further been stated that Upendra Yadav in conspiracy with family members went to Punjab and in the meantime on 07.09.2017 about 2:00 PM petitioners killed his daughter by pressing her neck.

Learned counsel for the petitioners submitted that petitioners are innocent and have been falsely implicated in this case merely on suspicion and there is no eye witness of the occurrence. During the course of investigation nothing has been found against the petitioners. Petitioner No. 1 is mother-in-law and petitioner No. 2 is father -in-law of deceased. It has further been submitted that initially the case has been instituted for the offence under Section 302/34 of the IPC but later on charge sheet has been submitted against the petitioners for the offence under Section 306/34 of IPC. It has been further submitted that informant and her family members were informed the same day about the occurrence. It has been submitted that petitioners were living separately. It has been further submitted that they have no criminal antecedent and petitioner No. 1 is in custody since 29.09.2017 and petitioner No. 2 is in custody since 09.09.2017.



Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Bagaha, West Champaran (Bettiah), in connection with Chautarwa P.S. Case No. 162 of 2017.

**(S. Kumar, J)**

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