

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31146 of 2018

Arising Out of PS.Case No. -653 Year- 2017 Thana -SHERGHATI District- GAYA

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1. Sona Devi @ Sonwa Devi, W/o Binod Yadav,
2. Shanti Devi W/o Sukar Yadav,
3. Sukar Yadav S/o Late Prasad Yadav,
All R/o Vill.- Garhijam, P.S.- Dobhi, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neerad Parashar

For the Opposite Party/s : Mr. Sri Binod Kumar 3

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 09-07-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek regular bail in connection with Sherghati (Dobhi) P.S. Case No.653 of 2017 registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

The petitioners are *bhabhi* and parents of the deceased. The informant who is widow of deceased has alleged that the family members of her husband committed murder of her husband as they were not willing to give share in the property.

It has been submitted that the informant is not an eye witness to the occurrence. On the alleged date of occurrence the



informant was at the place of her parents. It has been further submitted that this case has been lodged with false and frivolous allegation only to harass the petitioners with an ulterior motive. In course of investigation, none of the witnesses have stated about any assault or any dispute between the deceased and the petitioners rather the witnesses have stated that the husband and informant were not maintaining cordial relation. The petitioners are in custody since 27.04.2018 and so they deserve bail.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioners, named above, are directed to be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of like amount each to the satisfaction of the learned A.C.J.M., Sherghati (Gaya) in connection with Sherghati (Dobhi) P.S. Case No.653 of 2017, subject to the 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) If the petitioners are found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.



(iv) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail.

(Sanjay Kumar, J)

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