

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38755 of 2018

Arising Out of PS.Case No. -16 Year- 2018 Thana -PURANHIA District- SHEOHAR

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1. Vinod Rai Yadav, S/o Khaheru Rai,
2. Anandi Devi W/o Vinod Rai Yadav, Both Residents of Vill.- Kothiya
Tola Bakhar Chandiha, P.S.- Puranhia, Distt.- Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harendra Kumar

For the Opposite Party/s : Mr. Sri Murlidhar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-07-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Puranhia P.S. Case No. 16 of 2018, registered for the offences punishable under Sections 304B, 306, 504, 506, 34 of the Indian Penal.

Allegation against the petitioners, who happen to be the father-in-law and the mother-in-law of the deceased, is of torture causing her death.

Submission of learned counsel for the petitioners is that the informant was informed by telephone that his sister had consumed poison upon which the informant rushed to the place of



occurrence. Further submission is that Section 304B of I.P.C. is not attracted in this case since sister of the informant has committed suicide and at best it is a case under Section 302 of Cr.P.C. Further submission is that the petitioners have never abated the deceased to commit suicide. It has also been submitted that except mental torture there is no specific allegation of any overt act.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of six weeks from today, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sheohar, in connection with Puranhia P.S. Case No. 16 of 2018, subject to conditions as laid down under section 438 (2) of the Code of Criminal Procedure and further conditions are that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned and further condition is that they have to 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 bonds.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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