

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59854 of 2018

Arising Out of PS. Case No.-60 Year-2018 Thana- EKMA District- Saran

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1. Parmatma Bharti, S/o Late Shankar Bharti,
 2. Arun Bharti S/o Gopal Bharti,
 3. Nirmala Kumari Bharti @ Nirmala Kumari @ Chhoti Bharti D/o Gopal Bharti,
 4. Sushma Bharti @ Shusma Devi W/o Arun Bharti, All R/o vill.- Lalpur Mathia, P.S.- Ekma, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioners, learned counsel for the informant Mr. M.N. Parwat and learned APP for the State.

Petitioners apprehend arrest in connection with Ekma P.S. Case No. 60/2018 for offences alleged under Sections 302, 304(B), 34 of the Indian Penal Code.

The prosecution case, as lodged by the uncle of the deceased Jyoti Devi, is that he had adopted her and had brought her as his daughter and married her to one Avtar Bharti, son of Gopal Bharti on 18.02.2018 but after she went to her Sasural she was tortured for non-fulfillment of demand of motorcycle. It is alleged that after nearly two months of the marriage,



informant received information that his adopted daughter has been killed by the petitioners along with the husband and other family members and saw blood stains and there appeared a black ligature mark on the neck and, as such, she was killed by strangulation.

It has been submitted by the learned counsel for the petitioners that petitioner No. 1 is the cousin uncle, petitioner No. 2 is the Bhainsur, petitioner No. 3 is the unmarried Nanad and petitioner No. 4 is the Gotni of the deceased and that they have been falsely implicated. He submits that as per postmortem report, which is contained in Annexure-2, there is no external injury and that the allegations are false and concocted.

However, learned counsel appearing for the informant opposes the prayer for bail stating therein that the death occurred within two months of the marriage and all the family members are involved in killing the adopted daughter of the informant.

Learned APP for the State also opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioners, above named, in the event of their arrest or surrender before the court below within a period



of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-Ist, Saran at Chapra in connection with Ekma P.S. Case No. 60/2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J)

Rajesh/Pragya

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