

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4473 of 2018

Arising Out of P.S.Case No. -307 Year- 2017 Thana -SIMRI District- BUXAR

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1. Raju Kushwaha @ Raju Kumar Kushwaha, Son of Surendra Kushwaha @ Surendra Singh,
2. Surendra Kushwaha @ Surendra Singh, Son of Late Amin Kushwaha,
3. Kabutari Devi, Wife of Surendra Kushwaha @ Surendra Singh, All resident of Village- Chachari, P.S.- Sikaraul, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Sri Mustaque Alam

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 02-02-2018 Heard the learned counsels for the petitioners and the State.

The petitioners seek bail in anticipation of their arrest in connection with Simri P.S. Case No. 307 of 2017 dated 11.11.2017 instituted for the offences under Sections 147, 148, 149, 341, 323, 307 and 504 of the Indian Penal Code.

The petitioner no. 1 is the brother-in-law of the informant of this case whereas petitioners no. 2 and 3 are his parents-in-law. It has been alleged in the FIR that the petitioners assaulted the informant and his mother because of dispute between the informant and his wife who is the daughter of petitioners no. 2 and 3.



Learned counsel for the petitioners has drawn the attention of this Court to the fact that the informant of this case had not been treating the daughter of petitioners no. 2 and 3 in a proper manner and was regularly assaulting her. As such, the petitioner no. 1 had filed a case against the informant of the present case vide Simri P.S. Case No. 312 of 2017 dated 13.11.2017 instituted for the offences under Sections 341, 323, 307, 337, 338, 504, 498(A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act. Later with the death of one of the other daughter of petitioners no. 2 and 3, the case got converted into one under Section 302 of the IPC. In the aforesaid case it was alleged that the petitioners of the present case had gone to reason out with the informant but because of their pelting stones from their house, one of the daughters of petitioners no. 2 and 3 got injured, who later died.

Considering the aforesaid facts, the petitioners above named are directed to be released in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IVth, Buxar in



connection with Simri P.S. Case No. 307 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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