

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47278 of 2017

Arising Out of PS.Case No. -401 Year- 2017 Thana -DANAPUR District- PATNA

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1. Suresh Chandra Das @ Suresh Das, Son of Late Sahdeo Das,
2. Babunea Devi @ Yamini Devi, Wife of Suresh Chandra Das, All are
resident of Village- Sultanpur Chamar Toli, P.S.- Danapur, District- Patna.
.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Sri Umeshnand Pandit

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 03-01-2018 Sri Yogesh Chandra Verma, learned senior Advocate, seeks
permission to withdraw the bail petition with respect to petitioner no. 1,
viz. Suresh Chandra Das @ Suresh Das.

Dismissed as withdrawn with the liberty to the petitioner no.
1 to approach this Court again after a reasonable period of time.

Heard the counsels for the parties.

The petitioner No. 2, who is the mother-in-law of the
deceased, seeks bail in connection with Danapur P.S. Case No. 401 of
2017 dated 24.06.2017 instituted for the offence under Section 304B/34
of the Indian Penal Code.

The deceased, allegedly, has been done to death for non-
fulfillment of demand of Rs. 50,000/- and a motorcycle. The marriage
has taken place sometimes in the year 2016 and within a period of one
year, the deceased was killed.

Learned counsel appearing for petitioner no. 2 has stated



that there is a general and omnibus allegation against the petitioner of having killed the deceased and such allegation is not supported by the post-mortem report, which does not indicate any external and internal injury except a ligature mark over the neck. The neck bones were not found to be broken. It has further been submitted that there was no effort of the accused persons, including the petitioner, to dispose off the dead body stealthily. In fact, information had been given to the informant regarding the death of the deceased. It has also been submitted that, *prima facie*, it appears to be a case of suicide.

The petitioner is in custody since 25.06.2017.

The husband of the deceased is in custody and the brother-in-law of the deceased has been granted bail by a Bench of this Court.

Considering the aforesaid facts, petitioner no. 2, who is the mother-in-law of the deceased, is directed to be released on bail on her furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Danapur in connection with Danapur P.S. Case No. 401/2017.

(Ashutosh Kumar, J.)

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