

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4488 of 2018

Arising Out of PS.Case No. -89 Year- 2017 Thana -HATHUA District- GOPALGANJ

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1. Manisha Kumari, Daughter of Oshiar Giri,
 2. Shrikanti Devi, Wife of Oshiar Giri, Both R/o Vill- Barisar, P.S.- Hathwa, Dist- Gopalganj.
 3. Manju Devi, Wife of Prabhu Giri, R/o Jasauli, P.S.- Panchrukhiya, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Singh

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 02-02-2018 Heard the learned counsels for the petitioners,

informant and the State.

Mr. Kumar Uday Singh, learned advocate for the petitioners, at the outset, seeks permission to withdrawn the petition with respect to petitioner no. 2, who is mother-in-law of the deceased.

The case of petitioner no. 2 is dismissed as withdrawn.

The petitioners no. 1 and 3 seek bail in anticipation of their arrest in connection with Hathwa P.S. Case No. 89 of 2017 dated 29.06.2017 instituted for the offences under Sections 304B, 201 and 34 of the Indian Penal Code.



The deceased allegedly was killed and thereafter her dead body was stealthily cremated.

It has been submitted on behalf of the petitioners that petitioner no. 1 is the unmarried sister-in-law of the deceased whereas petitioner no. 3 is the married sister-in-law of the deceased, who has been residing in a different village in her matrimonial home. The allegations levelled in the FIR are general and omnibus against all the accused persons including the petitioners. It has further been brought to the notice of this Court that along with the FIR, a seizure list is annexed, on which there appears an overwriting on the date of the seizure of burnt pieces of bones of the deceased. It has been argued that from the overwriting on the seizure list, it would appear that the date of recording the seizure list was 29.06.2017 but the same was later corrected as 30.06.2017. That apart, the learned counsel for the petitioner has submitted that the information about the death of the deceased was provided to the family members of the informant and they had participated in the cremation also but for reasons unknown to the petitioners, they have also been made accused in this case.

Considering the special relationship of the petitioners with the deceased and their being married and unmarried sisters-



in-law of the deceased respectively, this Court is inclined to grant anticipatory bail to them.

For the aforesaid facts, the petitioners no. 1 and 3 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 Chief Judicial Magistrate, Gopalganj in connection with Hathwa P.S. Case No. 89 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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