

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24283 of 2019

Arising Out of PS. Case No.-523 Year-2018 Thana- BANKA District- Banka

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1. MONU YADAV AND ORS Son of Chhotan Yadav Resident of Village - Sanhola, P.S.- Banka, District - Banka
 2. Rajesh Yadav Son of Chhotan Yadav Resident of Village - Sanhola, P.S.- Banka, District - Banka
 3. Nirmala Devi Daughter of Chhotan Yadav Resident of Village - Sanhola, P.S.- Banka, District - Banka
 4. Kolia Devi Wife of Sonu Yadav Resident of Village - Sanhola, P.S.- Banka, District - Banka

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 27-09-2019 Learned counsel for the petitioners is permitted to make necessary correction in the description of petitioner No.4 in course of the day.

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Banka P.S. Case No. 523 of 2018, disclosing offences under Sections 328 and 302 of the Indian Penal Code.

From the First Information Report, it is evident that the deceased was married ten years before her death. The petitioner Nos. 1 and 2 are brothers of the husband of the



deceased whereas petitioner No.3 is sister of the husband of the deceased. Petitioner No.4 is mother-in-law of the deceased.

Learned counsel appearing on behalf of the petitioners has submitted that the allegation that in-laws of the deceased had administered her poison is based on suspicion only and there is no corroborating material, in this regard.

I find substance in the submission made on behalf of the petitioners on perusal of the First Information Report though from the viscera report, it appears that the deceased died of consumption of poison.

Considering the facts and circumstances, this application is allowed.

The provisional bail granted to petitioner Nos. 3 and 4 above-named by order dated 19.07.2019 stands confirmed.

Let petitioner Nos. 1 and 2 above-named in the event of their arrest/surrender within six weeks from today before the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in Banka P.S. Case No. 523 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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