

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25507 of 2019

Arising Out of PS. Case No.-9 Year-2019 Thana- BHANGWANPUR HAT District- Siwan

1. RAM KISHORE CHAUBEY Son of Late Dharm Nath Chaubey,
 2. Raj Kumari Devi, Wife of Ram Kishore Chaubey,
 3. Tarkeshwar Chaubey, Son of Ram Kishore Chaubey
- All are resident of Village- Madhar, Police Station- Bhagwanpur Hat,
District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 19-07-2019 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioner apprehend their arrest in connection with Bhagwanpur Hat P.S. Case No. 09/2019 registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the entire case is false and fabricated and has been lodged on mere suspicion on the basis of statements of certain vested interest within the village who are inimical towards the petitioner. It is further submitted that the post-mortem report entirely belies the prosecution case as there is no evidence of the hands of the girl being burnt nor was there any fracture of the feet as alleged



in the F.I.R.

Diary in the present case has been called for which has since been received.

Learned counsel for the State after perusal of the case diary and the post-mortem report submits that there is no such evidence of fracture of the feet of the deceased lady.

Considering the aforementioned facts and circumstances and there being a distinct cloud on the prosecution story, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate,II, Siwan in connection with Bhagwanpur Hat P.S. Case No. 09/2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Anjana Mishra, J)

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