

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26459 of 2019

Arising Out of PS. Case No.-288 Year-2018 Thana- CHHATAPUR District- Supaul

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1. MALTI DEVI Wife of Vishun Sharma Resident of Village - Sohata, P.S.- Chhatapur, Distt - Supaul.
 2. Vishun Sharma Son of Late Sivan Sharma Resident of Village - Sohata, P.S.- Chhatapur, Distt - Supaul.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 01-08-2019 Heard learned counsel for the parties.

Petitioners are apprehending their arrest in connection with Chhatapur P.S.Case no.288 of 2018 , registered for offences punishable under Sections 364, 12(b) of the Indian Penal Code and later on Section 302 of the IPC was added.

Allegation as per the FIR is that the son of the informant was married with the daughter of the petitioners and he was residing in his *Sasural* . There was no information of his son so they tried to find out him . It further appears from the FIR and the materials collected during the course of investigation that the daughter of the petitioners have relationship with one Chandradeep Sharma but later on she developed love affair



with the son of the informant and as such the marriage was solemnized but she continued her relationship with Chandradeep Sharma. It further appears that later on decomposed dead body was found and the sample of nail, hair and bones were preserved for D.N.A. test.

Submission of the learned counsel for the petitioners is that except that they are father-in-law and mother-in-law of the deceased and he was residing in their houses, there are no other materials available on the record whereas the materials collected during the investigation especially para nos. 45 and 46 discloses that the wife of the deceased had relationship with one Chandradeep Sharma and the deceased was last seen with Chandradeep Sharma .

Heard learned A.P.P. , who has opposed the prayer for bail stating that in several paragraphs witnesses have stated that the deceased was last seen with Chandradeep Sharma in her *Sasural* but para nos.45 and 46 discloses that wife of the deceased had relationship with one Chandradeep Sharma and the deceased was last seen with Chandradeep Sharma. .

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above



named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-IV, Supaul in connection with Chhatapur P.S.case No.288 of 2018, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition to co-operate in the investigation.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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