

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46515 of 2019

Arising Out of PS. Case No.-20 Year-2013 Thana- ISLAMPUR District- Nalanda

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1. RAGHUNI RAM Son of Late Ram Prasad Ram Resident of Village - Paharpura, P.S.- Islampur, Distt - Nalanda.
 2. Satish Kumar Son of Raghuni Ram Resident of Village - Paharpura, P.S.- Islampur, Distt - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-07-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Islampur Police Station Case No. 20 of 2013, disclosing offences under Sections 304-B/201/34 of the Indian Penal Code.

The prosecution case is that the daughter of the informant, Mamta Devi (deceased) was married to the son of the petitioner no. 1 in the year 2003. On 28.05.2012, the informant came to know that his daughter has been killed by her in-laws including the petitioners and all have fled away from the house. The neighbours of the petitioners informs that his daughter has been killed on 05.05.2012 by the accused persons.



Learned Counsel for the petitioners submits that the petitioners are innocent and they are the father-in-law and brother-in-law of the deceased. He further submits that the deceased died due to snake bite and in support of his submission, he has annexed the prescription of the doctor, at Annexure-2, that the deceased had a snake bite at her left foot. He further submits that the Police investigated the matter and after thorough investigation, filed final form finding this case to be mistake of facts and the petitioners were not sent up for trial, however the Court below, differing with the final form, has taken cognizance against the petitioners and others.

After having heard learned Counsel for the parties and taking into consideration the fact that the deceased died due to snake bite and the police has submitted final form against the petitioners finding the case to be of mistake of facts, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 3rd Additional Chief Judicial Magistrate, Hilsa, Nalanda, in connection with Islampur Police Station Case



No. 20 of 2013, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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