

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2550 of 2019

Arising Out of PS. Case No.-52 Year-2018 Thana- MAHILA P.S. District- Bhagalpur

1. Putul Devi @ Punam Devi @ Putul wife of Heera Lal Sharma
2. Heera Lal Sharma, son of Dhirgopal Sharma
Both are Residents of Village - Ganeshpur, Tinpuliya, P.S. Jagdishpur,
District, Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh

For the Opposite Party/s : Mr.Shantanu Kumar(App136)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 01-03-2019 Heard learned counsel for the parties.

Petitioners seek bail in Mahila P.S. Case No. **52/18**
registered for the offence punishable under Sections
376(3)/313/323/341/504/506/34 of the Indian Penal Code and
Section 4 of POSCO Act.

Informant has alleged that son of the petitioners had
established physical relation with her daughter in her absence
and she became pregnant. He performed marriage with her
daughter and when she went in her matrimonial house, the
parents of her husband administered some medicine resulting in
her abortion. However, subsequently, she was sent to her
parental home and, thereafter, they are not permitting her to live



in her matrimonial house.

It has been submitted on behalf of the petitioners that they are innocent and have not committed any offence. Allegations made are false and concocted and they have nothing to do with the affairs of their son. Petitioners are having no criminal antecedent and they are in custody since 15.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Bhagalpur in connection with Mahila P.S. Case No. **52/18**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the court below.



(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

Sanjay/-

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