

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27365 of 2020

Arising Out of PS. Case No.-334 Year-2019 Thana- BIDUPUR District- Vaishali

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1. Dharamshila Devi, W/o Manoj Singh, Resident of Village-Chandpura, Saidabad, P.S.-Bidupur, District-Vaishali.
 2. Dipak Singh @ Dipak Kumar Singh, S/o Manoj Singh, Resident of Village-Chandpura, Saidabad, P.S.-Bidupur, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Smt. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-10-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Smt. Pushpa Sinha, learned APP is appearing for the State as it is submitted that the brief has been allotted to her by the office of Advocate General. Her name may also be printed in the cause list.

Heard learned counsel for the petitioners and the



learned APP for the State.

The petitioners seek bail in connection with Bidupur P.S. Case No.334 of 2019 registered for the offence punishable under Sections 304B and 201 of the Indian Penal Code.

The petitioner no.1 being the mother-in-law and petitioner no.2 being the *Devar* of the deceased have been made accused for the offence under Sections 304B and 201 of the Indian Penal Code.

It is submitted by the petitioners' counsel that the victim suffered on account of accidental burn injury, for which she had been treated at Apollo Burn Hospital, Patna. The death certificate issued by the Hospital is Annexure 2. Prosecution has been launch one month 24 days after the death. The same stands belied by the compromise petition filed by the informant (Annexure 3 of this petition). Being the mother-in-law and *Devar*, the petitioners are in custody since 08.06.2020.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioners' prayer for bail.

Accordingly, let the petitioners, above named, 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 Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Bidupur P.S. Case No.334 of 2019, subject to the following conditions:

(i) That one of the bailors of each of the petitioners will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners concerned. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

This Court would expect that the petitioners' counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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