

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62210 of 2019

Arising Out of PS. Case No.-172 Year-2018 Thana- PHULPARAS District- Madhubani

1. DAIJEE DEVI D/o Ramchandra Das Resident of Village - Hulaspatti, Jageshwar Asthan, P.S.- Phulparas, Distt.- Madhubani.
2. Sunita Devi D/o Ramchandra Das Resident of Village - Hulaspatti, Jageshwar Asthan, P.S.- Phulparas, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti

For the Opposite Party/s : Mr. Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-01-2020 Petitioners seek bail in anticipation of their arrest in connection with Phulparas P.S. Case No. 172 of 2018 registered for the offence punishable under Section 364 of the Indian Penal Code but charge sheet has been submitted under Sections 302, 304B, 201 and 120B/34 of IPC.

As per FIR petitioners happen to be mother-in-law and sister-in-law of the deceased and allegation is that due to torture with respect to demand of motorcycle she was killed later on.

Submission of learned counsel for the petitioners is that they are not named in the FIR and no specific allegation has been attributed against them.

Heard learned APP, who has opposed the prayer for anticipatory bail and drawn my attention towards paragraph-80 of the



case diary in which confession of the husband of the deceased was recorded and he has categorically stated about active involvement of petitioner No.1, her husband as well as husband of the deceased. However, he could not controvert the fact that there is no specific allegation so far petitioner No.2 is concerned.

In view of above facts and circumstances, let petitioner No. 2, in the event of surrender, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge, Jhanjharpur, Madhubani, in connection with Phulparas P.S. Case No. 172 of 2018, corresponding to G.R.No. 1110 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immoveable property within the jurisdiction of the court concerned.

So far petitioner No.1 is concerned, he has to surrender and pray for regular bail.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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