

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76135 of 2019

Arising Out of PS. Case No.-399 Year-2019 Thana- SHEKHPURA District- Sheikhpura

1. Dharmendra Maharaj @ Dharmendra Kumar Son of Naresh Maharaj Resident of Village - Bhatchak, P.S. - Sheikhpura, District - Sheikhpura.
2. Khushbu Devi @ Khushbu Kumari Wife of Dharmendra Maharaj @ Dharmendra Kumar Resident of Village - Bhatchak, P.S. - Sheikhpura, District - Sheikhpura.
3. Sunaina Devi wife of Naresh Maharaj Resident of Village - Bhatchak, P.S. - Sheikhpura, District - Sheikhpura.
4. Laxmi Devi @ Laxmi Kumari Wife of Late Prakash Pandey, Daughter of Naresh Maharaj Resident of Village - Bhatchak, P.S. - Sheikhpura, District - Sheikhpura.
5. Kajal Kumari Wife of Birendra Kumar Resident of Village - Bhatchak, P.S. - Sheikhpura, District - Sheikhpura.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Radha Mohan Singh, Advocate

For the Opposite Party : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

4 18-06-2020 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State via video conferencing.

The petitioners seek pre-arrest bail in connection with Sheikhpura P. S. Case No.399 of 2019 registered under Sections



302, 328/34 of the Indian Penal Code.

Vide order dated 25.11.2019, case-diary was called for. The case-diary has been received. Case-diary does not even contain the post-mortem examination report.

Learned counsel for the petitioners submitted that save and except hypothetical presumption and wild suspicion, there is no other material on the basis of which the informant could have named the petitioners to be involved in commission of the murder of his son Prakash Maharaj. He contended that even during investigation, no material has been collected on the basis of which it can be said that the petitioners were in any manner involved in the offence alleged.

Learned Additional Public Prosecutor for the State has opposed the prayer for grant of pre-arrest bail to the petitioners.

Considering the omnibus and general allegation made by the informant that his son may have been poisoned to death in his *sasural* by the petitioners, who are wife and her relatives of the deceased Prakash Maharaj, they are directed to be released on bail, in the event of arrest or surrender before the court below, on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura in



Sheikhpura P. S. Case No.399 of 2019, subject to the conditions
as laid down under Section 438 (2) of the Code of Criminal
Procedure.

(Ashwani Kumar Singh, J)

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