

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 28101 of 2020

Arising Out of PS Case No.-249 Year-2019 Thana- SALKHUA District- Saharsa

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1. Ram Chandra Mistri @ Ramchandra Sharma, aged about 50 years, (Male)
Son of Late Rahunath Mistri.
 2. Rekha Devi, aged about 48 years, (Female) Wife of Ram Chandra Mistri @
Ramchandra Sharma.
Both resident of Village - Korlaha, P.S.- Salkhua, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Rashmi Jha, Advocate
For the State	:	Mr. Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 29-01-2021

Heard Ms. Rashmi Jha, learned counsel for the petitioners and Mr. Md. Arif, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioners apprehend arrest in connection with Salkhua PS Case No. 249 of 2019 dated 03.11.2019, instituted under Sections 304B and 302/34 of the Indian Penal Code and 27 of the Arms Act.

3. The petitioners are the father-in-law and mother-in-law of the deceased who was shot in her parents' home by her husband i.e., son of the petitioners.



4. Learned counsel for the petitioners submitted there is no role of the petitioners in the incident as whatever happened is between the husband and the wife and further that their son is in custody. It was submitted that the petitioners do not have any other criminal antecedent.

5. Learned APP did not controvert that the admitted position is that the son of the petitioner shot his wife that too in her parents' home.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Saharsa in Salkhua PS Case No. 249 of 2019, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 and further, (i) that one of the bailors shall be a close relative of the petitioners, and (ii) that the petitioners shall cooperate in the case. Failure to cooperate shall lead to cancellation of their bail bonds.



7. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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