

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42435 of 2022

Arising Out of PS. Case No.-194 Year-2021 Thana- WARISLIGANJ District- Nawada

1. Nandlal Tanti Son of Late Sitaram Tanti Resident of Village - Chandipur, P.s.- Warisaliganj, Distt.- Nawada.
2. Chameli Devi W/o Late Sitaram Tanti Resident of Village - Chandipur, P.s.- Warisaliganj, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-11-2022 Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek regular bail in connection with Warisaliganj P.S. Case No. 194 of 2021 lodged under Sections 304(B), 34 of the I.P.C.

As per the F.I.R., the informant is mother-in-law of the petitioner. It has been alleged that the marriage of the informant's daughter was solemnized with the son of the petitioner No.2, 15 years back. There is a general and omnibus allegation that the accused persons have administered poison to

the daughters of the informant because there were continuous demand of motorcycle.

Learned counsel for the petitioners submits that petitioners are innocent and has committed no offence. Learned counsel for the petitioners submit that petitioner No.1 is the brother-in-law and petitioner No.2 is mother-in-law of the deceased. Learned counsel for the petitioners submit that the case is not made out under Section 304(B). As per the F.I.R. itself, the said marriage was solemnized 15 years back. He further submits that petitioners are in custody since 02.06.2022. It has also been stated that petitioner No.2 is old aged person about 70 years. It has specifically alleged that petitioners are living separately from the husband of the deceased. He further submits that antecedent of both the petitioners are clean, charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail but admits that since in the F.I.R itself, it has been admitted by the informant that marriage was solemnized 15 years back therefore, Section 304(B) may not be added.

In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees

Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate IInd, Nawada in connection with Warisaliganj P.S. Case No. 194 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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