

Tetri Devi and ors. Vs. the State of Bihar

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Court : Patna

Decided On : May-23-2012

Appellant : Tetri Devi and ors.

Respondent : The State of Bihar

Judgement :

IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous
No.36439 of 2011

===== 1.Tetri
Devi, Wife of Bhola Paswan. 2.Sunil Paswan, Son of Bhola Paswan. 3.Kari Devi
@ Kari Kumari. 4.Khushbu Kumari @ Kushbu Devi. Both daughters of Bhola
Paswan. Petitioner/s Versus The State Of Bihar Opposite Party/s

===== CORAM:
HONOURABLE MR. JUSTICE AKHILESH CHANDRA ORAL ORDER (Per:
HONOURABLE MR. JUSTICE AKHILESH CHANDRA

23. 01-2012 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State, who is armed with carbon/xerox copy of the case diary up to paragraph 113 dated 18/11/2011. The petitioners are apprehending their arrest in connection with a case registered for the offence punishable under Sections 304(B), 201/34 of the Indian Penal Code, are named accused in this case being in-laws of deceased daughter of the informant, who died under unnatural circumstance within four years of her marriage after suffering a lot. Submission is that the deceased died due to illness 2 Patna High Court Cr.Misc.

No.36439 of 2011 (4) dt.23-01-2012 2/2 and on being aware of the real facts, the informant himself has filed a petition before the court below taking a U-turn and the husband and the father-in-law of the deceased have acquitted under Section 232 of the Cr. P.C. in Sessions Trial No. 198 of 2010 (Annexure 3). Considering the facts and circumstances of the case, on the event of informant appearing before the court below and supporting the factum of compromise and contents of filing therein with his free will and consent without any coercion, in the event of their arrest/surrender before the court below within four weeks, let the above named petitioners be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Madhepura, in connection with Chousa P.S. Case No. 22 of 2010, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure with additional condition to remain physically present before the court below till disposal of the case and in case of failure on two consecutive dates without giving any reasonable explanation, the liberty granted shall be deemed to be cancelled. Praveen-II/- (Akhilesh Chandra, J.)

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