

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8001 of 2015

Arising Out of PS.Case No. -560 Year- 2014 Thana -BUXAR District- BUXAR

1. Gurlasho Devi @ Gurlaho Devi wife of Patli Turha @ Balbalha Turha
resident of village Koerpurwa, P.S., Buxar, Town, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.12031 of 2015

Arising Out of PS.Case No. -560 Year- 2014 Thana -BUXAR District- BUXAR

1. Rajendra Prasad @ Raj Kumar Sharma S/o Siyaram Sharma Resident of
Bypass Road, Buxar, P.S. Buxar (Town), District Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.8001 of 2015)

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan (App)

(In Cr.Misc. No.12031 of 2015)

For the Petitioner/s : Mr. Jagdish Prasad

For the Opposite Party/s : Mr. Abhay Kumar-I(App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 30-06-2015 Both the matters arise out of Buxar (T) P.S. Case No.

560 of 2014 and, as such, they have been heard together and with

the consent of the parties are being disposed of by the present

order.

Heard the Counsels for the petitioners in both the

cases and the APP for the State.

The petitioners of both the cases along with one

another accused are named in the First Information Report lodged by the father of the victim raising suspicion against the petitioners of having committed murder of his son who was having illicit relationship with the petitioner of Cr. Misc. No. 8001 of 2015.

Contention of the petitioners is that except suspicion raised in the F.I.R., there is nothing tangible to implicate the petitioners in the crime. A motive has been assigned that the petitioner of Cr. Misc. No. 8001 of 2015 was having physical relationship with the deceased and had received certain payments from him which she had not repaid.

It has been contended that the petitioners are in custody for more than six months having no criminal antecedent. Another co-accused of this case, being son of petitioner of Cr. Misc. No. 8001 of 2015, who is similarly named in the F.I.R., has since been granted privilege of anticipatory bail vide order dated 20.05.2015 passed in Cr. Misc. No. 7727 of 2015.

Learned APP for the State, on going through the case diary, only points out that one witness has stated about seeing the petitioner moving along with the deceased on the relevant night.

Considering the facts and circumstances of the case, petitioners abovenamed are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten

thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in Buxar (T) P.S. Case No. 560 of 2014 subject to the following conditions:

(i) One of the bailers shall be the own/close family members of the petitioners.

(ii) In case of framing of charge, the petitioners shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioners and secure their arrest in accordance with law.

Pankaj/-

(Kishore Kumar Mandal, J)

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