

Patna High Court - Orders

Shobha Devi & Ors vs The State Of Bihar on 18 October, 2011

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (DB) No.995 of 2011

1.

Shobha Devi, wife of Manoj Yadav.

2. Birmani Yadav, Son of Karu Yadav.

3. Karu Yadav, Son of Late Aklu Yadav. All are residents of Village- Goraiyapar, Police Station-Manpur, District- Nalanda.....Appellants.

Versus The State of Bihar.....Respondent.

2. 18.10.2011. Heard learned counsels for the appellants and the State.

Admit.

Call for the lower court record. The appellants being the father, younger brother and brother's wife of husband have been convicted under Sections 304(B) and 498A of the Indian Penal Code.

Though general accusation is of poisoning against the entire family but it appears that the informant, father of the deceased, P.W. 6 during cross-examination has admitted as it appears from paragraph no. 11 of the judgment that the informant implicated the accused persons on the basis of hearsay information but he subsequently came to know that the victim died to diarrhoea.

In the circumstances, let the
appellants, above named, be released on

bail, during the pendency of the appeal, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, Fast Track Court No. IIInd, Nalanda at Bihar Shariff in connection with Sessions Trial Nos. 55 of 2011 and 56 of 2011 and realization of fine, as imposed upon the appellants, shall also be stayed.

(Shyam Kishore Sharma,J)

U. K.

(Dinesh Kumar Singh, J)