

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27282 of 2015

Arising out of PS.Case No. -94 Year- 2013 Thana -BHELDI District- SARAN

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1. Umrawati Devi, W/o Jaichand Sharma.
 2. Rajesh Kumar Sharma @ Rajesh Sharma, S/o Jaichand Sharma.
 3. Priya Devi, W/o Rajesh Sharma.
 4. Manki Kumari, Daughter of Jaichand Sharma.
 5. Pankaj Kumar Sharma @ Pankaj Sharma, S/o Jaichand Sharma.
 6. Malti Kumari @ Malti Devi, D/o Jaichand Sharma. All Petitioners are r/o village - Rampur, P.S. Garkha, District – Saran.

.... Petitioners

Versus

1. The State of Bihar.
2. Santosh Kumar Verma, S/o Ram Layak Sharma, r/o village - Malahi, P.S. Bheldi, District – Saran.

.... Opposite Parties.

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Appearance :

For the Petitioners : Mr. Anant Kumar Bhaskar, Advocate.
For the State : Mr. Ramesh Chandra (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-09-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Bheldi P.S. Case No. 94 of 2013 for the offences instituted under Sections 406, 420, 366, 302/34, 120(B), 201 and 211 of the IPC.

The prosecution story, in brief, is that the petitioners being the father and other family members of the wife of the informant used to demand money from her and lastly in absence of the informant they took away his wife to their house on the pretext

of illness of her mother and when the informant came to his house, he went to his Sasural and inquired about his wife but could not find any trace. They have taken cash and ornaments with his wife. He learnt that the accused persons have committed murder of his wife and they have also committed murder of his another daughter when their demand of money was not fulfilled by her Sasural.

It has been submitted on behalf of the petitioners that the petitioner nos. 1, 3, 4 and 6 are the ladies. No specific allegation has been made against the petitioners. It is further submitted that the father of petitioner nos. 1, 2, 4, 5, 6 had instituted a case for offence under Section 304(B) of the IPC against the informant of the present case prior to institution of the present case and for the said reason the petitioners have falsely been implicated in the present case.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R. and have actively participated in the alleged occurrence.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to petitioner no. 2 Rajesh Kumar Sharma @ Rajesh Sharma and petitioner no. 5 Pankaj Kumar Sharma @ Pankaj Sharma. The same is rejected.

So far as petitioner nos. 1, 3, 4 and 6 above named are

concerned, let them be released on bail in the event of their arrest or surrender before the learned court below within a period of four weeks from today in connection with Bheldi P.S. Case No. 94 of 2013 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 J.M. Saran at Chapra, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)