

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32446 of 2017

Arising Out of PS.Case No. -57 Year- 2017 Thana -ROSEIRA District- SAMASTIPUR

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1. Kiran Kumari W/o Ram Babu Das, Resident of Village- Rasalpur, P.S. Rosra, District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar, Adv

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 16-08-2017 Heard learned counsel for the petitioner as well as learned APP.

Petitioner is the *Gotni* of mother of deceased a minor aged about 3 years. Informant is the grand father of the deceased, that means to say, father-in-law of petitioner. It has been alleged by the informant that while he was engaged in agricultural work, some children raised hue and cry whereupon, he rushed and found the dead body of his grand son in a maize field. It has further been alleged that he had seen the petitioner to have carried the deceased in her lap towards the place of occurrence. As per postmortem report, the deceased died of smoothing.

It has been submitted on behalf of petitioner that postmortem report falsifies the allegation having leveled at the end of informant in the background of the fact that time elapsed since



death has been shown as within 36 hours.

The learned APP opposed the prayer.

From the perusal of the case diary, it is evident that apart from informant, other family members have stated that there was quarrel amongst the petitioner along with mother of the victim, namely, Mamta Devi and during course thereof, petitioner had threatened of dire consequences. Furthermore, all the family members have pointed out the victim to be in custody of petitioner as last seen whereupon prayer for bail is rejected.

(Aditya Kumar Trivedi, J)

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