

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40292 of 2017

Arising Out of PS.Case No. -109 Year- 2017 Thana -BIKRAMGANJ District- SASARAM
(ROHTAS)

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1. Indu Kuwar @ Indu Kumar W/o Late Bisketu Mauar @ Ranjeet Singh,
R/o Village- Khera Budhar, P.S.- Bikramganj, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pandey

For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 03-11-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner is languishing in judicial custody since
19.04.2017 in connection with Bikramganj P.S. Case No. 109 of
2017 for offences punishable under Sections 302, 120(B) of the
Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, is
that his nephew Ramanuj Tiwary was going to be married with
Puja Kumari, daughter of the petitioner. On the fateful day, Puja
Kumari called his nephew to her village and murdered him with
the help of her mother and brother along with 3-4 un-known
persons.



It has been submitted by the learned counsel for the petitioner that she is innocent. She is the mother of Puja Kumari who was going to be married to deceased Ramanuj Tiwari and the Puja Kumari also in her confessional statement has not alleged of any complicity of the petitioner in the aforesaid offence. He submits that the petitioner was not even at the place of occurrence as she has gone to her brother's house and there is no motive behind the alleged killing. He further submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned counsel for the informant as well as learned APP for the State opposes the prayer for bail stating therein that the petitioner's daughter Puja Kumari had a love affair with another boy and had connived to kill the deceased.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.J.-I cum Additional Chief Judicial Magistrate, Bikramganj, Rohtas, in connection with Bikramganj P.S. Case No. 109 of 2017 subject to the condition that one of the bailors would be a close



relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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