

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38501 of 2017

Arising Out of PS.Case No. -31 Year- 2017 Thana -HARPUR District- MUNGER

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Soni Devi Wife of Sri Bambam Mandal Resident of Village-Durmatha,
P.S.-Harpur Dist.-Munger

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Debesh Kumar Poddar, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 19-08-2017 Heard learned counsel for the petitioner and

the learned A.P.P. for the State.

Petitioner, in the present case, is seeking
regular bail in connection with Harpur P.S. Case No. 31
of 2017 registered for the offence punishable under
Sections 302, 201/34 of the Indian Penal Code.

A bare perusal of the First Information
Report would show that the dead body of the victim boy
was found by the villagers and the family members of the
deceased near *Shiv Mandir* in the village. The informant
was at the relevant time at *Dalkola* where he was
informed about the death of his younger brother. The
informant alleged that a love affair was going on between
his brother and a co-villager girl namely, Muskan Kumari



daughter of Bambam Mandal, and for that reason her mother, grand father and aunty had come to the house of the informant to warn that, if he would not mend his character, he would be murdered. The informant alleged that he has belief that the named accused persons, who are all family members of Bambam Mandal, had murdered his younger brother and placed the dead body inside the temple.

Learned counsel for the petitioner further submits that so far as the present petitioner is concerned, she is the wife of Bambam Mandal and her name has been falsely implicated only with an intention to implead the whole family of the present petitioner. Learned counsel submits that the petitioner is a young lady having two minor kids who are living like orphan because there is nobody in the house of the petitioner to take care of the minor kids.

It is further submitted on behalf of the petitioner that the learned Sessions Judge has taken note of the fact in the impugned order that the deceased, who was a young boy, was found dead in a very mysterious circumstance and no external injury was found on the



body of the deceased, therefore, it cannot be alleged that this petitioner had killed the brother of the informant.

Considering the facts and circumstances of the case, particularly that the petitioner is a lady and entire family is named in the F.I.R., the learned Sessions Judge has also observed that no external injury has been found on the body of the deceased, I am inclined to grant regular bail to the petitioner, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger, in connection with Harpur P.S. Case No. 31/2017, subject to condition as laid down under Section 437(3) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J.)

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