

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37196 of 2017

Arising Out of PS.Case No. -128 Year- 2017 Thana -SAHEBGANJ District- MUZAFFARPUR

- =====
1. Bhagwan Sah, Son of Late Dharkchhan Sah, Resident of Village- Aasha Patti, Parsoni, P.S.- Sahebganj, District- Muzaffarpur.
 2. Tuntun Sah, S/o Uma Sah, Resident of Village- Dewariya-Kothi, P.S.- Dewariya, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jyotsna Rani Mishra

For the Opposite Party/s : Mr. Ahtash Ali Khan

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

- 3 13-09-2017 Heard learned counsel for the petitioners and

learned APP for the State.

Petitioners are languishing in judicial custody since 13.05.2017 in connection with Sahebganj P.S. Case No. 128 of 2017 for offences punishable under Sections 304-B, 201/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that his sister Ritu Devi was married to one Kamlesh Sah four years back and was seven months pregnant. She lived in her matrimonial house but for demand of motorcycle she was tortured by her husband and in-laws including the petitioners and ultimately they



killed her and disposed off the dead body.

It has been submitted by the learned counsel for the petitioners that they are innocent, are father in law and brother in law(bahnoi) of her husband respectively and have been falsely implicated in the aforesaid case. He submits that the allegations are general and not specific, charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioners.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioners along with husband have killed the sister of the informant and disposed off the dead body without the knowledge of the informant.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged on bail on completion of six months in judicial custody on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M. West Muzaffarpur, in connection with Sahebganj P.S. Case



No. 128/2017, subject to the condition that both the bailors would be close relatives of the petitioners.

(Nilu Agrawal, J)

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