

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.855 of 2017

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1. Ram Sewak Sah, Son of late Bhutta Sah
2. Pinki Devi, Wife of Sri Baleshwar Sah
3. Banshi Devi, Wife of Rajesh Sah
4. Rajesh Sah, Son of Ram Sewak Sah
5. Baleshwar Sah, Son of Ram Sewak Sah, all are resident of Village-
Chhapra, P.S.- Kanti, District- Muzaffarpur. Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioners : Mr. Bela Singh, Advocate
Mr. Rajeev Ranjan
For the Opposite Party : Mr. Matloob Rab (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 30-01-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Kanti P.S. Case No. 203 of 2014 (G.R. No. 1277 of 2014),
registered for the offences punishable under Sections 304B, 201,
120B of the Indian Penal Code.

Allegedly, Milta Kumari the sister of the informant
was married to Ranjeet Sah in the year 2006 and thereafter colour
T.V and cash of Rs. 2 lacs were demanded to start business and
further Ranjeet Sah has taken Rs. 55,000/- to purchase land and
when the demand was made he started torturing his wife and also
abused the informant and thereafter in the night the petitioners, the
husband and another co-accused killed her.

Submission is of false implication and that the
petitioners are old father-in-law, sister-in-law and brother-in-law



of the deceased, they were living separately having no concerned with the family affairs of the deceased and her husband and it has come during investigation vide para 10, 11 and 12 of the case diary. The husband is already in custody it has also come during investigation that the deceased consumed poison and committed suicide being annoyed with the conduct and behavior of her husband and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail by submitting that the petitioners are also named in the F.I.R.

In the facts and circumstances as stated above, considering that during investigation the allegations have not been substantiated against the petitioners and, as such, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction learned Sub-Divisional Judicial Magistrate, West Muzaffarpur, in connection with Kanti P.S. Case No. 203 of 2014, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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