

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36304 of 2017

Arising Out of PS.Case No. -54 Year- 2017 Thana -GOPALPUR District-
WESTCHAMPARAN(BETTIAH)

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1. Raghunath Das, Son of Late Ganesh Das.
2. Suman Devi, Wife of Harendra Das,
Both are residents of Village- Dukhichhapar, Police Station- Gopalpur,
District- West Champaran.
3. Prabhawati Devi, Wife of Rabindra Das, Resident of Village- Patbandi,
Police Station- Gopalpur, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioners and learned
APP for the State as well as learned counsel for the informant.

The petitioners, in the present case, are seeking regular bail in connection with Gopalpur P.S. Case No.54 of 2017, registered for offences alleged under Sections 120(B), 302 and 201 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioner no.1 is the father-in-law, petitioner no.2 is the Sautan (second wife) and petitioner no.3 is the married sister-in-law of the deceased. The allegations, as contained in the First Information Report, are that the marriage between the deceased Sarita Devi



and Harendra Das had been solemnized about 17 years ago and there were four children out of the said wedlock, but said Harendra Das went for second marriage with petitioner no.2 and all the accused persons acted in collusion with each other and killed the daughter of the informant by pressing her neck and that the dead body was also being disposed of when on information the informant reached and would secure the half burn body of his daughter.

Learned counsel for the petitioners submits that so far the present petitioner are concerned, they are innocent and have falsely been implicated being the family members. He further submits that Harendra Das, who is the husband, has already surrendered and is in jail presently.

Learned APP as well as the learned counsel for the informant opposed the prayer for bail and submitted that the deceased was killed by all the family members. Hence, they should not be enlarged on bail.

Considering the facts and circumstances of the case and finding that the petitioner no.1 is the father-in-law and petitioner no.3 is the married sister-in-law of the deceased, let the petitioner nos.1 and 3, namely, Raghunath Das and Prabhawati Devi be enlarged on bail on their furnishing bail bond of



Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, District-West Champaran in connection with Gopalpur P.S. Case No.54 of 2017, subject to the conditions U/S 437(3) Cr.P.C.

So far as the petitioner no.2 is concerned, she being the Sautan, this Court is not inclined to grant regular bail to her. Hence, her prayer for regular bail is rejected.

(Rajeev Ranjan Prasad, J)

Arvind/-

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