

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12059 of 2017

Arising Out of PS.Case No. -221 Year- 2016 Thana -ARA MUFFSIL District- BHOJPUR

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1. Sugiya Devi W/o Vikrama Ray, resident of Jamira, Police Station-Ara Muffassil, District-Bhojpur
2. Ful Kumari devi (D/o Vikrama Ray), W/o Harendra Ray, Resident of Village-Tiyar, Police Station-Tiyar, District-Bhojpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Prabhu Narayan Sharma, Advocate.

For the Opposite Party : Mr. Akshay Lal Pandit, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 29-06-2017 Heard both sides.

The petitioners apprehend their arrest in Ara Muffasil P.S. Case No. 221 of 2016 registered for the offences punishable under Sections 304(B) and 34 of the Indian Penal Code.

The informant father of the deceased alleged that his daughter Sunita Kumari was married to Nagendra Rai on 27.11.2013 and at the time of marriage many articles were gifted. The informant's daughter remained at her matrimonial house for seven months. She came to the house of the informant but her father-in-law again took her to his own house. The informant further alleged that all the accused persons brutally assaulted her and on the next day i.e. 01.08.2016, the informant came to know



that his daughter was killed.

Learned counsel for the petitioners submits that the petitioners are mother-in-law and married sister-in-law of the deceased. They have no manner of concern with the family affairs of the deceased and her husband. It is further submitted that the deceased, herself, committed suicide as her husband is a drug addict. Even during course of investigation, the witnesses have stated that the mother-in-law was living separately and the petitioner no. 2 married sister-in-law of the deceased was living in her Sasural.

On the other hand, learned APP as well as learned counsel for the informant opposed the prayer for bail with full force at their commands and submitted that the petitioners also participated in the killing of the deceased. The deceased died within 2½ years of her marriage in her Sasural. Learned APP submits that during course of investigation, it has come that the husband of the deceased was a drug addict and he used to torture his wife. Even on the date of occurrence, the villagers came to know that Nagendra Rai, the husband of the deceased, killed the deceased and fled away from the house.

It appears that the petitioners are mother-in-law and married sister-in-law of the deceased. The informant also did not



make any specific allegation against the petitioners. During course of investigation the witnesses have also not made any specific allegation against the petitioners rather it has come that the husband was assaulting his wife after taking drugs and it was he who killed his wife and fled away from the house.

Considering the facts aforesaid and the facts that the petitioners are mother-in-law and married sister-in-law of the deceased, they above named in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on 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, Bhojpur at Ara in Ara Muffasil P.S. Case No. 221 of 2016, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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