

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13371 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -LALIT NARAYAN UNIVERSITY District-
DARBHANGA

- =====
1. Pinki Devi @ Archana Kumari, W/o Naj Kumar @ Hobby.
 2. Naj Kumar @ Hobby, S/o Biswanath Kapri.
Both Resident of Mohalla/Village-Laxmi Sagar, P.S.-L.N.M.U.,
District-Darbhang.

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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with

Criminal Miscellaneous No.13413 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -LALIT NARAYAN UNIVERSITY District-
DARBHANGA

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Ranjeet Mahaseth @ Ranjeet Kumar, Son of Raj Kumar Mahaseth,
Resident of Mohalla / Village.- Sunder Pur Kharga Mandi, P.S.- L.N.M.U. ,
District- Darbhanga.

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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with

Criminal Miscellaneous No.12007 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -LALIT NARAYAN UNIVERSITY District-
DARBHANGA

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Randhir Mahaseth @ Randhir Kumar Mahaseth @ Randhir Kumar, S/o Raj
Kumar Mahaseth, Residenct of Mohalla /Village- Sundarpur Kharga Mandi,
P.S. - L.N.M.U., District - Darbhanga.

..... Petitioner/s

Versus

The State of Bihar.

..... Opposite Party/s

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Appearance :
(In Cr.Misc. No.13371 of 2017)
For the Petitioners : M/s. P.K. Sahi, Senior Advocate &. Kedar Jha,
Advocate.



For the State : Mr. Umanath Mishra, A.P.P.
For the Informant : M/s. Ramakant Sharma, Senior Advocate,
Vijay Anand and Suman Singh, Advocates.
(In Cr.Misc. No.13413 of 2017)
For the Petitioner : M/s. P. K. Sahi, Senior Advocate & Kedar
Jha, Advocate.
For the State : Mr. Umanath Mishra, A.P.P.
For the Informant : M/s. Ramakant Sharma, Senior Advocate,
Vijay Anand and Suman Singh, Advocates.
(In Cr.Misc. No.12007 of 2017)
For the Petitioner : M/s. P.K. Sahi, Senior Advocate & Kedar
Jha, Advocate.
For the State : Mr. Sanjay Kumar Sharma, A.P.P..
For the Informant : M/s. Ramakant Sharma, Senior Advocate,
Vijay Anand and Suman Singh, Advocates.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

3 24-07-2017 The petitioners of all the aforesaid three applications apprehend their arrest in connection with L.N.M.U. P.S. Case No.5 of 2017 registered under Sections 304(B) and 201/34 of the Indian Penal Code, therefore, all the aforesaid three applications have been heard together and are being disposed of by this common order.

The accusation is that the marriage of Roji Kumari, the sister of the informant, was performed with Ranjeet Mahaseth alias Ranjeet Kumar (petitioner in Criminal Misc. No.13413 of 2017). After marriage, the sister of the informant went to her sasural, where she was kept properly for some days but, thereafter, all the accused persons including the petitioners started to torture her for not providing the proper dowry, however, the sister of the



informant made protest saying that Rs.26,00,000/- has already been expended in her marriage by her father. On 01.01.2017, the sister of the informant informed the informant on his mobile phone about making demand of money from her by all the accused persons and giving threatening her that if the money is not paid, she would be killed. On 09.01.2017, in the morning at about 07.00 A.M., Raj Kumar Mahaseth, the father-in-law of the sister of the informant, informed to his father on phone that his daughter had left the house leaving her child, then the father of the informant asked the informant on phone to go to the sasural house of his sister. Thereafter, the informant came to the sasural house of his sister and made query to the father-in-law of his sister, who gave different versions. The informant raised suspicion that his sister has been killed and her dead body has been concealed somewhere.

Learned Senior Counsel for the petitioners submits that the petitioner Ranjeet Mahaseth alias Ranjeet Kumar (in Criminal Misc. No.13413 of 2017) is the husband of the deceased, the sister of the informant, who used to reside at Alipurduar in connection with discharge of his official duty as an Officer of the Bank and at the time of the alleged occurrence, he was not present at his house. Further submission is that the deceased used to reside at her



matrimonial house cordially but, unfortunately, she left her matrimonial house and her dead body was found in a pond after two days of the lodging of the F.I.R. The petitioners, namely, Pinki Devi alias Archana Kumari and Naj Kumar alias Hobby (in Criminal Misc. No.13371 of 2017) respectively are Married Nanad and Nandosi of the deceased, the sister of the informant, whereas the petitioner Randhir Mahaseth alias Randhir Kumar Mahaseth alias Randhir Kumar (in Criminal Misc.No.12007 of 2017) is the elder brother-in-law of the deceased, the sister of the informant. Learned Senior Counsel for the petitioners further submits that in the post-mortem examination of the dead body of the deceased, the sister of the informant, 200 ml. water was found in her stomach and water was also found in her chest, which clearly indicates that this is a case of consuming poison by the deceased and, thereafter, drowning herself in the pond.

On the other hand, learned Senior Counsel for the informant only opposed the prayer of the petitioner Ranjeet Mahaseth alias Ranjeet Kumar (in Criminal Misc. No.13413 of 2017), who is the husband of the deceased, the sister of the informant, and submits that the dead body of the deceased, the sister of the informant, was found after two days of the lodging of the F.I.R. in the pond and in the viscera report of the dead body of



the deceased, the sister of the informant, Aluminum phosphide, which is commonly known as Celphos, was detected.

Having regard to the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner Ranjeet Mahaseth alias Ranjeet Kumar (in Criminal Misc. No.13413 of 2017). Accordingly, his prayer for grant of anticipatory bail stands rejected.

So far as the petitioners, namely, Pinki Devi alias Archana Kumari and Naj Kumar alias Hobby (in Criminal Misc.No.13371 of 2017) and Randhir Mahaseth alias Randhir Kumar Mahaseth alias Randhir Kumar (in Criminal Misc. No.12007 of 2017) are concerned, in the event of their arrest or surrender by them within six weeks from today, they are directed to be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Darbhanga, in connection with L.N.M.U. P.S. Case No.5 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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