

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59994 of 2018

Arising Out of PS. Case No.-113 Year-2017 Thana- SARMERA District- Nalanda

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1. Ramrati Devi wife of Ram Pravesh Kewat
 2. Munarki Devi wife of Vishwanath Kewat
 3. Basanti Devi wife of Ram Uchit Kewat

All are resident of Village - Mohaddipur, Police Station Sarmera,
District Nalanda.

... .. Petitioners

Versus

1. The State of Bihar.
2. Geeta Devi wife of Bipin Kewat Resident of Village - Mohaddipur, Police
Station - Sarmera, District - Nalanda.

... .. Opposite Parties.

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Advocate
For the Opposite Party/s : Mr. Arbind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 10-12-2018 Heard learned counsel for the petitioners, learned

Additional Public Prosecutor for the State and learned counsel

for the informant.

The petitioners seek pre-arrest bail in connection with
Sarmera P. S. Case No. 113 of 2017 registered under Sections
302 and 201 read with 34 of the Indian Penal Code.

Though the case has been instituted under Sections
302 read with 34 and 201 of the Indian Penal Code, in course of
investigation, the case was found to be true only under Section
306 read with 34 of the Indian Penal Code.



Learned counsel for the petitioners contended that the alleged offence took place on 03.12.2017, but the FIR was instituted after 6 days on 09.12.2017. From perusal of the FIR itself, it would appear that the informant came to know about occurrence on 03.12.2017 itself but there is no plausible explanation as to why there was inordinate and unexplained delay of six days in institution of the FIR. He further contended that the petitioners are all ladies and have got great stake in life. There is nothing on the basis of which it can be said that they had in any manner abetted the brother-in-law of the informant to commit suicide.

On the other hand, learned counsel for the State submitted that the deceased was in love with the daughter of the petitioner no. 1 and his death occurred in a mysterious circumstance. He contended that though there is some delay in institution of the FIR, the involvement of the petitioners cannot be ruled out.

Be that as it may, considering the totality of the facts and circumstances of the case, in the event of arrest or surrender before the court below within six weeks from today, the petitioners named above are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with



two sureties of the like amount each to the satisfaction of
learned ACJM-IV, Nalanda at Biharsharif in Sarmera P. S. Case
No. 113 of 2017, subject to the conditions as laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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