

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8252 of 2019

Arising Out of PS. Case No.-178 Year-2018 Thana- BIHARIGANJ District- Madhepura

Nepal Mehta @ Nepal Mahto, son of Late Harilal Mehta @ Harilal Mahto,
aged about 68 years, Male, Resident of village- Rahuwa Dehari, Rampur,
Ward no. 7, P.S- Bihariganj, District Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Adv.

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-02-2019 Heard leaned counsel for the petitioner and learned
APP for the State.

The petitioner, being father of the husband of the
victim, is languishing in custody since 13.12.2018 in a case
registered for the offences punishable under Sections 302, 379
and 34 of the Indian Penal Code.

The prosecution case as per the written report of
Dharmendra Kumar Mehta, submitted to the S.H.O., Bihariganj
P.S. is to the effect that the sister of the informant, Pinki Devi
(the deceased) was married with the son of the petitioner,
Ranjeet Mehta, 10 years prior to lodging of the present case. It
is alleged that on 21.07.2018 at about 07.00 P.M., the sister-in-
law of the sister of the informant, namely, Kavita Devi started



abusing her. On protest being made, FIR named accused persons started assaulting the sister of the informant. On alarm being raised, when nearby people came, then the FIR named accused persons escaped from the scene and threatened the sister of the informant to kill. It is further alleged that on the same day at 12.00 P.M., the informant received an information that the FIR named accused persons including the petitioner have killed the sister of the informant by strangulation and has taken away cash and jewellery kept by her in a box.

It is submitted by learned counsel from the petitioner that the accusation is omnibus and general against the entire in-law family members, including the petitioner. It is further submitted that the thrust of accusation is against the husband of the victim and investigation has already been concluded. Moreover, there is no eye witness to the alleged occurrence. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the petitioner is named in the FIR.

Considering the fact that the accusation being omnibus and general in nature against the entire in-law family members, there being no eye witness to the alleged occurrence



and the investigation already being concluded, let the above named petitioner 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 of learned **J.M. 1st Class, Udakishunganj, Madhepura**, in connection with **Bihariganj P.S. Case No.178 of 2018.**

(Dinesh Kumar Singh, J)

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