

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17194 of 2019

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

1. SANJIT MEHTA Son of Nepal Mehta Resident of Village - Rahuwa, P.S.- Bihariganj, Distt.- Madhepura.
2. Kavita Devi W/o Sanjit Mehta Resident of Village - Rahuwa, P.S.- Bihariganj, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-04-2019 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Bihariganj P.S. Case No. 178 of 2018, registered for the offence punishable under Sections 302, 379/34 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 that they would kill her. 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 have taken away cash and jewellery kept by her in a box.

It is submitted by learned counsel from the petitioners that the accusation is omnibus and general against the entire in-law family members, including the petitioners. 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 petitioners are not having any criminal antecedent. It is further submitted that the petitioners are brother and sister-in-law of the husband of the deceased and similarly situated co-accused person, who is the father-in-law of the deceased, has already been granted bail by a coordinate Bench of this Court by



an order dated 14.2.2019 passed in Criminal Miscellaneous No. 8252 of 2019. The petitioners are stated to be languishing in custody since 20.11.2018.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioners on regular bail.

Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each 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.

(Mohit Kumar Shah, J)

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