

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26129 of 2019

Arising Out of PS. Case No.-206 Year-2018 Thana- MURLIGANJ District- Madhepura

1. Tetri Devi, Wife of Sitaram Sah, Resident of Village - Haripur Kala, P.S.- Murliganj, Distt - Madhepura.
2. Alok Sah, Son of Late Mahavir Sah, Resident of Village - Mehinagar Tellyahi, P.S.- Bhawanipur, Distt - Purnea.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 23-04-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Murliganj P.S. Case No. 206 of 2018 registered under Sections 302 and 120B of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that at about 10 P.M. on 09.06.2018 informant Geeta Devi along with her husband was present at the door. At that time, villager Deepak Kumar came and asked her husband why her husband is not sleeping till time and he was moving hither and thither. Thereafter, informant entered in the room and slept whereas her husband slept at



Chowki in Varandah. After some time, she heard sound of barking of dog then she woke up and heard the sound of firing. When she came at Varamdah then found that her husband was crying saying that Munna Paswan and Wakil Paswan shot fire at him. At that time, she saw Bablu Kumar Gupta, Deepak Kumar, Munna Paswan and Wakil Paswan who were fleeing from there. On hearing the sound of firing, her cousin Bhaisur Anil Kumar and other people reached at the place of occurrence and chased but all succeeded to flee away. It is further alleged that her step mother-in-law Tetri Devi (petitioner no.1) along with her brother Dhanpat Sah and her son-in-law Alok Sah (petitioner no.2) called the Panchayat for partition of land, in which, her husband became read to give share but Tetri Devi (petitioner no. 1) threatened for dire consequences. The informant raised suspicion against the petitioners and others for committing the murder of her husband.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that when the informant woke up and heard the sound crying of her husband, she saw Bablu Kumar Gupta, Deepak Kumar, Munna Paswan and Wakil Paswan were fleeing from there but petitioners, who is mother-in-law and brother-in-law of the informant, have falsely been



implicated in this case mere on suspicion. Further submission is that both petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Madhepura, in connection with Murliganj P.S. Case No. 206 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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