

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31703 of 2019**

Arising Out of PS. Case No.-741 Year-2018 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

SITA DEVI Wife of Sumit Roy Resident of Village - Dharampur Jilebia
More, P.S.- Samastipur (M), Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rama Kant Sharma, Sr. Adv.

Mr. Lakshmi Kant Sharma

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

4 15-07-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in S.T. No. 161/2019, arising
out of Muffasil P.S. Case No. 741/2018, instituted for offence
under Section(s) 302 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
mere suspicion has been raised against this petitioner.

It is alleged in the written report that brother-in-law of
informant, namely, Nitin Kumar, aged about 11 years, had taken
the nine month old child of informant on the roof and was
playing with him. It is alleged that child was searched but not
found. Thereafter informant enquired from his brother-in-law,
who disclosed that this petitioner, who happens to be *Bhabhi* of
informant, had taken his child and compelled him to go to



downstairs. It is further alleged that after search child of informant was found floating dead in water tank. Informant raised suspicion against this petitioner for committing murder of his child. On alarm nearby people gathered and caught this petitioner. They assaulted her and handed over to police.

In this manner from the entire F.I.R. it appears that brother-in-law of informant, Nitin Kumar has given statement that petitioner had taken the son of informant. Later on his dead was found in water tank, due to which it was supposed by informant that this petitioner might have killed his son.

Petitioner is in custody since 30.12.2018.

Considering the aforesaid facts and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, 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 the learned Sessions Judge, Samastipur, in connection with S.T. No. 161/2019, arising out of Muffasil P.S. Case No. 741/2018, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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