

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52942 of 2019

Arising Out of PS. Case No.-100 Year-2019 Thana- ISLAMPUR District- Nalanda

1. Lodhani Devi, female, aged about 70 years, Wife of Late Gokhul Manjhi, Resident of village- Khatolna Bigha P.S. Islampur, District- Nalanda.
2. Simpi Devi, female, aged about 35 years, Wife of Late Sajjan Manjhi, Resident of village- Khatolna Bigha P.S. Islampur, District- Nalanda.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Arvind Kumar, Advocate.
For the Opposite Party : Mr.Pranav Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 04-12-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek bail in a case for the offence
registered under Sections 302/34 of the IPC.

The prosecution story, in brief, is that on 19.03.2019
at about 9.00 P.M. in the night, the son of the informant, namely,
Laldeo Bind, went out from his house and at about 10.00 P.M. in
the night, Lodhani Devi (petitioner no. 1) said to the informant
that his son Laldeo Bind after entering into her house started
doing some illegal act with her daughter-in-law, namely, Simpi
Devi (petitioner no. 2). The informant alongwith his villager
Shiv Shankar Bind went to the house of the petitioners and saw



that the dead body of his son Late Laldeo Bind lying in the courtyard of the house of Lodhani Devi (petitioner no. 1) and her daughter-in-law Simpi Devi (petitioner no. 2) was present in the house. When villagers assembled there, petitioners fled away from there. The informant claimed that the petitioners killed his son after providing him wine by putting rope in his neck.

It has been submitted by learned counsel for the petitioners that the petitioners are in custody since 21.03.2019. They have got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioners are ladies. No specific overt act is alleged against the petitioners in the F.I.R. The petitioners being ladies, the entire prosecution story appears to be improbable.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R. From paragraph no. 10 of the case diary, it appears that the dead body of the deceased is said to have been recovered from the courtyard of the house of the petitioners. The onus is on the petitioners to explain the cause of death of the deceased as the



dead body of the deceased was recovered from the courtyard of the house of the petitioners.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioners. The same is rejected in connection with Islampur P.S. Case No. 100 of 2019, pending in the court of learned A.C.J.M. Hilsa, Nalanda.

Learned court below is directed to expedite the trial of the petitioners.

(Sudhir Singh, J)

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