

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56441 of 2019

Arising Out of PS. Case No.-172 Year-2019 Thana- MINAPUR District- Muzaffarpur

BABLI SAH @ RAMESH SAH, aged about 45 years, Male, Son of Basu Sah
Resident of Village-Turki Turha Toli, P.S-Minapur, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 11-12-2019 Heard learned counsel for the petitioner as well as
learned A.P.P.

Deceased Babita Devi, who was married with Ranjan Sah, full brother of the petitioner about three years ago, was severely tortured as was issueless and in the aforesaid background, while her dead body was flamed at the instance of the petitioner and others, the informant and others came. Seeing them, all the accused persons fled away. Dead body was taken out of fire.

From the postmortem, it is evident that the deceased was done to death by throttling. From para-14, place of occurrence, it is evident that much effort has been taken up at the end of the accused persons to make out a defence case of suicide but they found frustrated on account of cause of death.

It has been submitted at the end of the petitioner that he happens to be brother of the husband of the deceased. The



husband of the deceased is under custody. He resides with his family members separately.

Learned A.P.P. opposed the prayer and submitted that the manner whereunder the deceased was done to death and the subsequent activity which the I.O. incorporated under para-14 of the case diary relating to the place of occurrence, did not justify the prayer.

Though charge sheet has been submitted against the petitioner alone as he was only person to be apprehended during course of investigation till submission of the charge sheet on account thereof, learned lower court will ascertain whether the husband of the deceased is under custody or not.

In case, the husband of the deceased, namely, Ranjan Sah is found under custody then in that circumstance, the petitioner, Babli Sah @ Ramesh Sah would 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 Chief Judicial Magistrate, Muzaffarpur in connection with Minapur P.S.Case No. 172/2019.

(Aditya Kumar Trivedi, J)

Surendra/-

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