

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73222 of 2019**

Arising Out of PS. Case No.-237 Year-2019 Thana- RUNISAIDPUR District- Sitamarhi

1. VIDYA CHOUDHARY W/o Sri Dharmendra Choudhary Resident of Village - Athri Tole, Jagdishpur, Ward No.1, P.S.- Runisaidpur, Distt.- Sitamarhi.
2. Rajendra Choudhary Son of Sri Lal Babu Choudhary @ Sarbdeo Choudhary Resident of Village - Athri Tole, Jagdishpur, Ward No.1, P.S.- Runisaidpur, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                                      |
|--------------------------|---|----------------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Jitendra Singh, Sr. Advocate.<br>Mr.Kamal Kishor Singh,Advocate. |
| For the Opposite Party/s | : | Mr.Surendra Kumar, A.P.P.                                            |
| For the O.P.             | : | Ashok Kumar Gupta, Advocate.                                         |

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      25-11-2019                      Heard learned senior counsel for the petitioners,  
learned counsel for the informant and learned APP for the State.

The petitioners have prayed for grant of bail in connection with Runisaidpur P.S. Case No. 237 of 2019, registered for the offence punishable under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

It transpires from the F.I.R that the informant received a telephonic call in the night at about 2.00 a.m from one Pallavi Kumari that her grand father had shot dead the son of the informant. It is further stated in the F.I.R that there had been altercation between the informant's son and the aforesaid



grand father of Pallavi in which the petitioner no. 2 brought a gun and gave it to Lal Babu Choudhary. It is further stated that the petitioner no. 1 had also instigated her father-in-law to shoot. It transpires from the F.I.R that the cause of occurrence is that about 5 to 6 months ago the son of the informant had taken away Pallavi with the intention to marry as a result of which various litigation are going on ultimately resulting in this occurrence.

It is submitted by learned senior counsel for the petitioner that from reading of the F.I.R itself it transpires that specific overt act has been alleged against Lal Babu Choudhary and not against these two petitioners. Further attention of this Court is drawn to Annexure-4 series with respect to the age of Pallavi Kumari as also Annexures 3 and 5 with respect to pending cases between the two families. Petitioners are in custody since 13.06.2019, charge-sheet has been submitted in the case and they have no criminal antecedent.

It is submitted on behalf of the learned counsel for the informant that the petitioners are named in the F.I.R, and there is specific allegation against them leading to death of son of the informant.

Having heard learned counsel for the parties and



taking into consideration the facts and circumstances of the case including the fact that from the F.I.R itself allegation against accused Lal Babu Choudhary is of being the sole assailant of the son of the informant, so far as these petitioners are concerned, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Runisaidpur P.S. Case No. 237 of 2019.

**(Partha Sarthy, J)**

T.Kr./-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

