

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84951 of 2019

Arising Out of PS. Case No.-134 Year-2017 Thana- MANJHAGARH District- Gopalganj

=====

Lalmati Devi W/o Ramesh Sahni @ Rameshwar Sahani Resident of Village -
Nayatola Sahladpur, P.S.- Manjhagadh, Distt.- Gopalganj. Presently residing
at Vill- Rajwahi, P.S.- Yadopur, and Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 20-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 302, 201,
120(B) /34 of the Indian Penal Code.

Informant has alleged in his written complaint that
his co-villagers Jitendra Sahni allured away his wife Suganti
Devi and his son and daughter about one and half months ago
and informant thereafter went to Punjab to earn his livelihood
and on 31.7.2017, his wife informed that she has returned back
to home, however, on 2.8.2017, his son-in-law Om Prakash
Sahni informed him that his wfie Suganti Devi has been
murdered in the night of ½ -8-2017 and deed body thrown in



Sugar field. Thereafter, he came back on 3.8.2017 and on enquiry, he came to know that Jitendra Sahni, Lalmati Devi, Sheo Shankar Sahni and Parma Sahni have murdered his wife after hatching a conspiracy.

It has been submitted on behalf of the petitioner that she is innocent and has falsely been implicated in this case and there is land dispute between the informant and petitioner. She has been implicated in this case only on the basis of suspicion and there is no incriminating material found against her to implicate her in said crime. She is old lady having no criminal antecedent and no motive has been assigned against her.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Manjhagadh. P.S. Case No.134/2017 subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court



concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

mdrashid/-

U		T	
---	--	---	--

