

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 18782 of 2020

Arising Out of PS. Case No.-10 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

1. Rambha Devi Wife of Umesh Ram Resident of Village-Nawanagar Nizamat, Ward No.7, P.S.-Sahebganj, District-Muzaffarpur.
2. Pinky Kumari Daughter of Umesh Ram Resident of Village-Nawanagar Nizamat, Ward No.7, P.S.-Sahebganj, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Thakur
Mr. Niles Kumar
For the Opposite Party/s : Mr. Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 05-06-2020 Heard learned counsel for the petitioners as well as learned A.P.P. for the State through video conferencing.

This relates to grant of bail in Sahebganj P.S. Case No. 10 of 2020 registered for the offence under Sections 302, 201, 120(B)/34 of the Indian Penal Code.

In the F.I.R., the informant has alleged that his younger brother Chandan Kumar was in love with petitioner no. 2 (Pinky Kumari) and on 18-11-2019, the informant got information on mobile that his brother was going to Muzaffarpur for solemnizing court marriage with petitioner no. 2. It is further alleged that on 04-01-2020, the informant came to know that all the F.I.R. named accused persons, including



petitioners, in a deep rooted conspiracy have committed the murder of his brother.

It is submitted on behalf of petitioners that both petitioners, who are lady, have committed no offence. As per *post-mortem* report, no external injury has been found on the person of deceased. In fact, the deceased died due to electrocution and only on suspicion, the petitioners, who are mother and daughter respectively, have been implicated in this case. Petitioners have clean antecedent and they are in custody since 08-01-2020.

However, learned A.P.P. for the State has vehemently opposed the prayer for bail and submits that there is evidence against petitioners were also involved with other accused persons in committing the murder of informant's brother.

Considering the aforesaid facts and circumstances, the bail application is allowed.

Let the above-named petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st, West, Muzaffarpur in connection with Sahebganj P.S. Case No. 10 of 2020 on the following conditions:



“(1) Petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail-bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”.

(Prabhat Kumar Singh, J.)

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