

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29314 of 2020

Arising Out of PS. Case No.-295 Year-2019 Thana- KATRA District- Muzaffarpur

1. NATHUNI SHARMA Son of Bhogi Thakur Resident o Village- Bhawanipur, P.S.- Singhwara, District- Darbhanga.
2. Vikash Sharma Son of Nathuni Sharma Resident o Village- Bhawanipur, P.S.- Singhwara, District- Darbhanga.
3. Mukesh Kumar Son of Nathuni Sharma Resident o Village- Bhawanipur, P.S.- Singhwara, District- Darbhanga.
4. Dana Devi Wife of Nathuni Sharma Resident o Village- Bhawanipur, P.S.- Singhwara, District- Darbhanga.
5. Munni Devi Daughter of Nathuni Sharma Resident o Village- Bhawanipur, P.S.- Singhwara, District- Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagendra Kumar Singh
For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-12-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in Katra P.S.

Case No. 295 of 2019, registered for the offences punishable
under Sections 302, 201, 120(B) and 34 of the Indian Penal
Code.



Rajeshwar Sharma is the complainant/informant who filed complaint case no. 976 of 2018 alleging therein that marriage of his son Sanjay Sharma was solemnized with Munni Devi petitioner no. 5 on 20.04.2017. After marriage, Munni Devi (petitioner no. 5) started putting pressure on his son for divorce. In the meantime, she gave birth to a male child. It is further alleged that petitioner no. 5 had illicit relation with some other person. It is further alleged that after attending Chhathi ceremony of this grand-son which was held at house of accused persons, when he returned to his home, all the accused persons came at the house of informant and took away jewellery, house utensils and strangulated his grand-son. It is further alleged that on 26.04.2018 at 10.00 am, the informant got information that his grand-son has died. It is further alleged that after hatching up criminal conspiracy these petitioners had killed his grand-son.

It is submitted that petitioners have been falsely implicated in this case. There is case and counter case. Petitioner no. 5 had earlier filed Katra PS Case No. 79 of 2017 on 09.08.2017 under Section 341, 323, 498(A) and 34 IPC against her husband and others. Present case is the counter blast to put pressure on the petitioners to withdraw Katra PS case No. 79 of 2017. Petitioner no. 1 is father of petitioner no. 2, 3 and 5



and husband of petitioner no. 4. Save and except suspicion, there is no material against these petitioners. Petitioners have got clean antecedent, as stated in para 3 of the petition.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate XIVth-cum-Sub-Judge XV, Muzaffarpur in connection with Katra P.S. Case No. 295 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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