

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81539 of 2019

Arising Out of PS. Case No.-165 Year-2019 Thana- SONBERSA District- Sitamarhi

-
1. Ram Dulari Devi, aged about 51 years, Female, W/o Shatrughan Sah
 2. Shatrughan Sah, aged about 49 years, Gender – Male, Son of Late Sri Gulam Sah, both resident of Village- Mudhiya, Ward No.6, P.O.- Singhwahini, P.S.- Sonbarsa, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navin Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-02-2020 Heard learned counsel for the petitioners, the informant and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Sonbarsa P.S. Case No. 165 of 2019 registered for the offence punishable under Section 304(B) of the Indian Penal Code.

Prosecution case, in brief, is that the informant Gayatri Devi gave her fardbeyan before the S.H.O., Sonbarsa P.S. on 06.07.2019 at around 11.50 A.M. and she has alledged in her fardbeyan that her daughter Usha Devi (deceased of this case) was married to Dhiraj Sah in the year, 2015 and they had a son of approximately 3 years of age from their wedlock. After few days of her marriage, her daughter was assaulted and



Rs.20,000/- and a motorcycle was demanded and she was also abused and harassed. In the meanwhile, her son-in-law, Samadhi and Samdhini hatched a conspiracy and on 04.07.2019 at around 14.00 hrs. her daughter and grand son was taken on a motorcycle by her son-in-law Dhiraj Sah from her house and after 20 minutes, she got information that the motorcycle met with an accident and her daughter was critically injured. She was treated at Dr. Barun Kumar's Nursing Home and from there, she was referred to Muzaffarpur and from Muzaffarpur, she was referred to Uma Hospital, Patna. In course of her treatment on 05.07.2019 at around 11 P.M., her daughter Usha Devi succumbed to her injuries and after her death, her son-in-law, Samadhi and others fled away. She further alleges that she firmly believes that her son-in-law Dhiraj Sah, Samadhi Shatrughan Sah and Samadhini Ram Dulari Devi had deliberately and acting under conspiracy had created a concocted story of motorcycle accident and killed her daughter. Previously, they used to say that they will leave her daughter or otherwise kill her. Lastly, she alleges that one day prior from Bidagiri of her daughter, there was a social mediation and her son-in-law was requested to lead his matrimonial life amicably, but her daughter was murdered in the guise of the fake accident.



Learned counsel for the petitioners submits that the petitioner no.1 is the mother-in-law and petitioner no.2 is father-in-law. Learned counsel for the petitioner further submits that the petitioners are innocent and have committed no offence rather have falsely been implicated in this case. He further submits that from perusal of the F.I.R., it transpires that the police has written the present case is accident by Motor vehicle which caused death. He further submits that the petitioners had spent all the expenses of the treatment of Usha Devi at Uma Hospital, Kankarbagh, Patna and the expenditure receipts.

In the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of C.J.M., Sitamarhi in connection with Sonbarsa P.S. Case No. 165 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

Nasimul/-

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

