

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16388 of 2020

Arising Out of PS. Case No.-227 Year-2019 Thana- MANIYARI District- Muzaffarpur

1. Vikash Kumar Son of Late Vinod Singh Resident of Village - Balra Ishmile, P.S.- Maniyari, Distt - Muzaffarpur.
2. Suman Kumari @ Chhoti Wife of Vikash Kumar Resident of Village - Balra Ishmile, P.S.- Maniyari, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4. 20-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioners seek bail in Maniyari P.S. Case No. 227 of 2019, registered for the offence under Section 302 / 34 of the Indian Penal Code.

As per the prosecution case, these two petitioners killed the widow sister of the informant by strangulation.

It is submitted on behalf of petitioners that informant is not the eye-witness of the occurrence. There is no motive as to why these petitioners, who are own son and daughter-in-law of the deceased, would commit such crime. In fact, the deceased died her natural death and these petitioners have been dragged



in this case at the instance of their enemies. Petitioners are in custody since 01.09.2019. Chargesheet has been submitted.

However, learned A.P.P. for the State opposed the bail petition and submitted that the autopsy report suggests that the deceased died due to asphyxia produced by *ante-mortem* throttling. These two petitioners are the inmates of the house and as such, onus lies upon them to explain as to under what circumstances, the deceased died.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioners and same is, accordingly, rejected. However, since the petitioners are in custody since September, 2019, the learned trial court is directed to expedite the trial.

(Prabhat Kumar Singh, J.)

anay

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

