

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30095 of 2020

Arising Out of PS. Case No.-123 Year-2020 Thana- RUNISAIDPUR District- Sitamarhi

1. REETA DEVI Wife of Mahesh Bhagat Resident of Village - Harsingpur, P.S.- Runnisaidpur, District - Sitamarhi
2. Randhir Kumar Son of Mahesh Bhagat Resident of Village - Harsingpur, P.S.- Runnisaidpur, District - Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Jha

For the Opposite Party/s : Mr. Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 12-01-2021 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek regular bail in connection with Runisaidpur Police Station Case No. 123 of 2020, registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

The prosecution case, as per the First Information Report, is that the daughter of the informant (since deceased) was married to co-accused Umesh Bhagat, who used to torture the deceased and co-accused Umesh Bhagat was having illicit relationship with the petitioner no. 1, who happens to be his sister-in-law. It has further been alleged that the petitioners



along with co-accused Umesh Bhagat has killed the deceased.
The petitioner no. 2 is the son of petitioner no. 1.

Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case on the basis of concocted allegation. He further submits that in fact, the petitioners are residing separately from the co-accused Umesh Bhagat and the deceased has committed suicide due to some quarrel, which took place between the husband and the wife. He further submits that from perusal of the *post mortem* examination report, it would be evident that the doctor has opined the cause of death as asphyxia leading to CR-failure, as a result of hanging produced by rope like substance. He further submits that the doctor has found ligature mark high up in the neck, ½ inch wide. He further submits that the petitioners are in custody since 14.03.2020.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioners are in custody since 14.03.2020 and charge sheet has already been submitted against the petitioners and there is no apprehension that the petitioners will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioners.



This application is, accordingly, allowed.

Let the petitioners, namely, Reeta Devi and Randhir Kumar, be released on bail, upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Runnisaidpur Police Station Case No. 123 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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