

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30762 of 2020

Arising Out of PS. Case No.-487 Year-2019 Thana- CHHATAUNI District- East Champaran

1. BISHWA NATH RAUT Son of Late Ram Prasad Raut Resident of Village-Mathwa, P.O.-Dhanauji, P.S.-Pakridayal, District-East Champaran.
2. Urmila Devi @ Fooljyoti Devi Wife of Bishwa Nath Raut Resident of Village-Mathwa, P.O.-Dhanauji, P.S.-Pakridayal, District-East Champaran.
3. Sunil Rai S/o Bishwa Nath Raut Resident of Village-Mathwa, P.O.-Dhanauji, P.S.-Pakridayal, District-East Champaran.
4. Saurabh Patel @ Sairabh @ Saurav Kumar Son of Sunil Rai Resident of Village-Mathwa, P.O.-Dhanauji, P.S.-Pakridayal, District-East Champaran.
5. Gaurav Patel @ Gaurav Kumar S/o of Sunil Rai Resident of Village-Mathwa, P.O.-Dhanauji, P.S.-Pakridayal, District-East Champaran.
6. Gautam Patel @ Gautam Kumar Son of Anil Rai Resident of Village-Mathwa, P.O.-Dhanauji, P.S.-Pakridayal, District-East Champaran.
7. Pushpa Devi Wife of Sunil Rai Resident of Village-Mathwa, P.O.-Dhanauji, P.S.-Pakridayal, District-East Champaran.
8. Khushabu Kumari @ Khushbu Devi @ Kangana Devi Wife of Sudhir Rai Resident of Village-Mathwa, P.O.-Dhanauji, P.S.-Pakridayal, District-East Champaran.
9. Sudhir Rai Son of Bishwa Nath Raut Resident of Village-Mathwa, P.O.-Dhanauji, P.S.-Pakridayal, District-East Champaran.
10. Nishu Kumari @ Sweta Kumari Wife of Madhurendra Rai Resident of Village-Mathwa, P.O.-Dhanauji, P.S.-Pakridayal, District-East Champaran.
11. Ram Kishore Prasad Son of Brahmdeo Prasad Resident of Village-Jaipaal Tola, Pansalwa, P.O.-Bara Jairam, P.S.-Chiraiya, District-East Champaran.
12. Renu Devi Wife of Ram Kishore Prasad Resident of Village-Jaipaal Tola, Pansalwa, P.O.-Bara Jairam, P.S.-Chiraiya, District-East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh
For the Opposite Party/s : A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 19-02-2021 As prayed for, let the learned counsel appearing for
the petitioners remove the defect(s), as pointed out by the office



vide its notes dated 10.11.2020, within four weeks of starting of Court proceeding in physical mode.

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

The petitioners apprehend their arrest in connection with Chhatauni P.S. Case no. 487 of 2019, registered under Sections 323, 354(B), 459 and 460/34 of the Indian Penal Code.

The accusation is that complainant/informant Saraswati Devi was at her house, as the male members had gone for their job and her daughter-in-law Kajal Kumari was under treatment of mental illness committed suicide on that day by locking the door of the house from inside. Thereafter, the gate was broken and Kajal Kumari was removed from rope in hanging condition, while she was rushed for treatment, but, she died in the way. Thereafter, she informed to her son Sanjay Chaudhary, who came and gave information to the Myaka people of Kajal Kumari. After two hours, 12 persons named in the complaint petition/F.I.R. boarding on three motorcycles came there and asked to commit loot saying that Kajal Kumari has been killed. Accused Sunil Rai (Petitioner No.3) asked unless Rs. Ten Lakh will not be given, he will lodge the case



and on his order all started outrage the modesty of ladies. At that time, accused Saurav Patel and Gaurav Patel tried to press her neck by folding Gamchha. When the witnesses came in her rescue then they were also assaulted through rod. Accused Gaurav Patel also obtained thumb impression on 3-4 papers and they also committed loot of the property.

Learned counsel for the petitioners submits that, in fact, Kajal Kumari, daughter of Sunil Rai, was killed by hanging by her in-laws. Thereafter, Sunil Rai lodged Chhatauni P.S. Case No. 461 of 2019 on 16.10.2019 for the offence under Section 304(B)/34 of the Indian Penal Code against informant/complainant of the present case and other family members due to that reasons only to give undue pressure, the complainant / informant managed to lodge the present case implicating the petitioners.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with



Chhatauni P.S. Case No. 487 of 2019, subject to the condition as
laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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