

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37521 of 2020

Arising Out of PS. Case No.-301 Year-2020 Thana- KUDHNI District- Muzaffarpur

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1. Babita Devi, female, aged about 36 years, Wife of Sanjay Sah, Resident of Village- Kerma, P.S.- Kudhani, District- Muzzafarpur.
 2. Sangeeta Devi, female, aged about 22 years, Wife of Binod Sah, Resident of Village- Kerma, P.S.- Kudhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Adv.
For the Informant	:	Mr. Sunil Kumar Pandey, Adv.
For the State	:	Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 09-04-2021 Heard Mr. Rajesh Kumar, learned Advocate for the petitioners and Mr. Sunil Kumar Pandey, learned counsel for the informant. The State is represented by Mr. Sanjay Kumar Tiwary, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Kudhani (Kurhani) P.S. Case No. 301 of 2020, dated 28.05.2020, instituted for the offences



under Sections 341, 342, 323, 302, 354(B) and 34 of the Indian Penal Code.

Though the petitioners are said to have assaulted the deceased along with other accused persons, but the learned counsel for the petitioners has submitted that they are none else but the wives of the younger brother of the deceased. He has further submitted that a false case has been instituted by the informant who herself is to be blamed for the murder of her husband.

The mother of the deceased has filed a complaint alleging that the informant of this case was not keeping good relations with her husband (deceased) and on the day of occurrence, there was a fight between the husband and the wife because he had taken food at the house of the petitioners. In the process, the informant of this case threw a piece of brick which hit the deceased as a result of which he died.

Assuming but not admitting the afore-stated facts, but taking into account the fact that the petitioners are ladies and are sisters-in-law of the informant and that the



mother of the deceased has attributed the role of killing of her son to the informant herself, this Court is inclined to grant anticipatory bail to the petitioners.

The petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III (W), Muzaffarpur in connection with Kudhani (Kurhani) P.S. Case No. 301 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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