

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37266 of 2020

Arising Out of PS. Case No.-74 Year-2020 Thana- KHANPURA District- Samastipur

1. Raju Kumar, Son of Ram Dular Singh, Resident of Village- Gotiyahi Rebra, P.S.-Khanpur, District-Samastipur.
2. Nilam Devi @ Lilam Devi, Wife of Ram Dular Singh, Resident of Village- Gotiyahi Rebra, P.S.-Khanpur, District-Samastipur.
3. Ram Dular Singh, Ram Sewak Mahto, Resident of Village- Gotiyahi Rebra, P.S.-Khanpur, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh, Advocate.
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 30-06-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode in normal course.

Learned counsel appearing for the petitioners seeks permission to withdraw this application, as petitioner nos. 1 and 3, namely, Raju Kumar and Ram Dular Singh, have been arrested by the police.

Permission is accorded.

Accordingly, this application is dismissed as withdraw with respect to petitioner nos. 1 and 3, namely, Raju Kumar and



Ram Dular Singh.

Heard learned counsel for the petitioner no. 2, namely, Nilam Devi @ Lilam Devi and the learned A.P.P. for the State through Video Conferencing.

The petitioner no. 2, Nilam Devi @ Lilam Devi, apprehend her arrest in connection with Khanpur P.S. Case No. 74 of 2020, registered under Section 304B/34 of the Indian Penal Code.

The accusation is of killing of daughter of the informant by her husband and in-laws due to non fulfillment of demand of motorcycle by administering poison.

Learned counsel for the petitioner no. 2, Nilam Devi @ Lilam Devi submits that petitioner no.2 happens to be the mother-in-law of the deceased, daughter of the informant, in fact, daughter of the informant and Rohit Kumar, son of petitioner no. 2 were studying in same coaching and both performed the marriage due to love affairs. Later on, due to misunderstanding in between deceased, daughter of the informant and her husband, Rohit Kumar, daughter of the informant consumed poison and died but with ulterior motive, petitioner no. 2 along with her whole family members have been implicated in the present case with false allegation. Further



submission is that Rohit Kumar, husband of the deceased, is in custody.

Having regard to the facts and circumstances of the case, let the petitioner no.2, namely, Nilam Devi @ Lilam Devi, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Samastipur, in connection with Khanpur P.S. Case No. 74 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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