

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38036 of 2020

Arising Out of PS. Case No.-61 Year-2020 Thana- KARTAHA District- Vaishali

1. SHIV KUMARI DEVI Wife of Late Nilamber Rai Resident of Village-Shaikhpora Chak, Kartaha, P.S.- Kartaha, District- Vaishali.
2. Umesh Rai Son of Late Kashi Rai @ Panjabi Rai Resident of Village-Shaikhpora Chak, Kartaha, P.S.- Kartaha, District- Vaishali.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-03-2021 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in a case registered for the
offence punishable under Section 304B and 201/34 of the
Indian Penal Code.

As per the prosecution case, the sister of the
informant is said to have been killed by the petitioners in
association of other co-accused.

It is submitted by learned counsel for the
petitioners that no such occurrence as alleged ever took place.
They are quite innocent and have been falsely implicated in this
case. The allegation levelled against the petitioners is not



specific rather general and omnibus in nature. As a matter of fact, the deceased died due to cardiac arrest and fear of corona virus. The marriage of the deceased was solemnized seven years back, hence no case is made out under Section 304 B of the IPC. Petitioner no.1 is the mother-in-law of the deceased and petitioner no.2 is the co-villager. The petitioners have no criminal antecedent and have been languishing in custody since 17.07.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XV, Vaishali at Hajipur in connection with Kartaha P.S. Case No.61 of 2020.

(Anjani Kumar Sharan, J)

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