

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5116 of 2021

Arising Out of PS. Case No.-141 Year-2019 Thana- SHAMBHUGANJ District- Banka

1. JULI DEVI WIFE OF KUNDAN KUMAR SINGH RESIDENT OF VILLAGE - PATWARA, P.S. - SHAMBHUGANJ, DISTRICT- BANKA
2. RAM GULAM SINGH SON OF JAI NARAYAN SINGH RESIDENT OF VILLAGE - RAMCHUA, P.S. - SHAMBHUGANJ, DISTRICT - BANKA
3. BIMLA DEVI WIFE OF PAPPU KUMAR SINGH RESIDENT OF VILLAGE - KARSOP, P.S. - SHAMBHUGANJ, DISTRICT- BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad
For the Opposite Party/s : Ms. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 26-10-2021 Heard Mr. Brij Nandan Prasad, learned

advocate for the petitioners and learned APP for the

State.

The application with respect to petitioner no. 2

had earlier been withdrawn.

The petitioner nos. 1 and 3, who are the

married sister-in-law of the deceased and aunt of the

husband of the deceased, respectively, seek bail in

anticipation of their arrest in connection with

Shambhuganj P. S. Case No. 141 of 2019, dated



29.06.2019, instituted for the offences under Sections 304(B)/34 of the Indian Penal Code.

The accusation against both of them (petitioner nos. 1 and 3) is of general and omnibus nature.

The informant has alleged that he learnt that the deceased has drowned in a well. Later, the F.I.R. was lodged alleging that the deceased was killed and thrown in the well.

The learned advocate for the petitioner nos. 1 and 3 has submitted that from the bare perusal of the post-mortem report, the accusation would not appear to be correct. The death is caused by asphyxia because of drowning and there is no ante-mortem injury on the person of the deceased. Had the deceased been thrown in the well, she would have received some ante-mortem injuries.

Regard being had to the afore-stated facts and taking into account the gender of the petitioner nos. 1 and 3, the provisional bail granted to them *vide* order



dated 17.09.2021 is, hereby, confirmed.

The petitioner nos. 1 and 3 shall remain on the same bail-bonds.

The application stands allowed, accordingly.

(Ashutosh Kumar, J)

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