

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4824 of 2021

Arising Out of PS. Case No.-47 Year-2020 Thana- UPHARA District- Aurangabad

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1. ARJUN SINGH, Son of Late Bhikhari Singh Resident of Village - Saharsa, P.S.- Uphara, District - Aurangabad (Bihar).
 2. Malti Devi, Wife of Arjun Singh Resident of Village - Saharsa, P.S.- Uphara, District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-03-2021 Heard Mr. Krishna Prasad Singh, learned senior counsel for the petitioners and Mr. Nawal Kishore Prasad, learned Additional Public Prosecutor for the State, through Video Conferencing.

This application, for grant of regular bail, arises out of Uphara Police Station Case No. 47 of 2020, disclosing offences under Sections 302, 201/34 of the Indian Penal Code.

The allegation against the petitioners is that the marriage of the sister of the informant was solemnized with son of the petitioners in the year 2009 and during the lockdown period, the petitioners along with other accused persons started torturing the deceased to bring money from her father and



family members and due to non-fulfillment of the demand, the sister of the informant was being tortured physically and mentally and on 04.07.2020, the informant received an information that his sister has been killed by the accused persons and they have cremated dead body also.

Learned senior counsel for the petitioners submits that the fact of the matter is that the deceased had consumed poison on 02.07.2020 and deceased died on 04.07.2020 and fardbeyan of the petitioner was recorded on 04.07.2020. Learned senior counsel next submits that post-mortem of the deceased was also held and from perusal of the same at Annexure-2, it would be evident that no external antemortem injury was found on the body of the deceased and the doctor has reserved his opinion for recording cause of death till the receipt of chemical examination report of Viscera. Learned senior counsel next submits that the petitioners are father-in-law and mother-in-law of the deceased aged about 76 years and 70 years respectively.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that petitioners are father-in-law and mother-in-law of the deceased aged about 76 years and 70 years respectively and they



are in custody since 06.07.2020, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioner No.1, Arjun Singh and petitioner No.2, Malti Devi, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Shree Dinesh Kumar, Judicial Magistrate, Ist Class, Daudnagar, District-Aurangabad in connection with Uphara Police Station Case No. 47 of 2020.

It is made clear at the time of furnishing bail bond, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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