

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4829 of 2021

Arising Out of PS. Case No.-207 Year-2020 Thana- DINARA District- Rohtas

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1. NILU DEVI, D/O VIJAY PAL R/O village- Indaur, p.s.- Dinara, Dist.- Rohtas at Sasaram
 2. Babita Devi, w/o Vijay Pal R/o village- Indaur, p.s. Dinara, Dist.- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-03-2021 Heard Mr. Babu Nandan Prasad, learned Counsel for the petitioners and Mr. Ajit Kumar, learned Additional Public Prosecutor for the State, through Video Conferencing.

This application, for grant of regular bail, arises out of Dinara Police Station Case No. 207 of 2020, disclosing offences under Section 302/201/34 of the Indian Penal Code.

The allegation, as per the First Information Report is that son of the informant Jawahar Pal (deceased) was married with the petitioner No.1 in the year 2019. It has further been alleged that the petitioner No.1 after some time had returned to her parental home and the family members of petitioner No.1 told the informant that his son is having impotency, however,



the matter was resolved and the son of the informant started living in his sasural along with petitioners and on 22.07.2020, the informant was informed by Samdhi, Vijay Pal and Ram Wachan Pal that his son, Jawahar Pal (deceased) was missing from his Sasural since 21.07.2020 and on 23.07.2020, the dead body of the son of the informant, Jawahar Pal (deceased) was recovered from a pond situated in the village. The informant has alleged that the petitioners have killed the son of the informant and has thrown the dead body in the pond.

Learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and they have falsely been implicated in this case on the basis of suspicion only and there is no material to connect the petitioners with the present offence. Learned counsel next submits that the petitioner No.1 is the wife of the deceased and petitioner No.2 is the mother-in-law of the deceased and referring to post-mortem report, i.e., Annexure-2, learned counsel submits that the cause of death is Asphyxia due to drowning. Learned counsel next submits that no external injury was found on the dead body of the deceased in the post-mortem report. Learned counsel next submits that petitioners are in custody since 24.07.2020.



Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that petitioners are in custody since 24.07.2020, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioner No.1, Nilu Devi and petitioner No.2, Babita 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 A.C.J.M., Bikramganj, Rohtas, in connection with Dinara Police Station Case No. 207 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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