

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6122 of 2021

Arising Out of PS. Case No.-44 Year-2020 Thana- BARIYARPUR District- Munger

1. ALKA KUMARI @ SURUCHI KUMARI Daughter of Late Triveni Tanti Resident of Village- Bariyarpur basti, P.S. - Bariyarpur, District - Munger.
2. SURJEET KUMAR Son of Late Triveni Tanti Resident of Village- Bariyarpur basti, P.S. - Bariyarpur, District - Munger.
3. SAKET KUMAR Son of Late Triveni Tanti Resident of Village- Bariyarpur basti, P.S. - Bariyarpur, District - Munger.
4. LALITA DEVI Wife of Late Triveni Tanti Resident of Village- Bariyarpur basti, P.S. - Bariyarpur, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar, Adv.

For the Opposite Party/s : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-05-2021 Heard learned counsel for the petitioners and learned A.P.P. for the State through virtual court proceeding.

The petitioners seek bail in connection with Bariyarpur P.S. Case No.44/20, corresponding to Sessions Trial No.102/2020 registered for the offence punishable under Sections 302/201/34 of the Indian Penal Code.

It is alleged by brother of the deceased that petitioner no.1 (wife of the deceased) and other petitioners (in-laws of the deceased) have killed his brother who went to his in-laws house to bring his wife. His brother (deceased) used to call him and



complained about ill treatment faced by him in his *sasural* but could not return due to National lock down. It is alleged that they burnt him and buried the dead body in River Ganges.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have not committed any offence as alleged in the FIR. Petitioner no.1 is the wife of deceased and petitioner nos. 2 to 4 are the in-laws of the deceased. They have been falsely implicated in this case merely on the basis of suspicion due to local village politics. There is no eye-witness to the occurrence. From bare perusal of F.I.R., it is apparent that the alleged occurrence is imaginary as narrated by the informant as no source of information has been disclosed by him. The allegation leveled against the petitioners are general and omnibus in nature. The petitioners have no criminal antecedent and have been languishing in custody since 22.05.2020.

Learned APP for the State opposed the bail petition.

Considering the nature of allegation and the petitioner no.1 is the wife of the deceased, I am not inclined to grant bail to petitioner no.1.

Accordingly, the prayer for bail of petitioner no.1 is hereby rejected.



Learned trial court is directed to expedite the trial regarding petitioner no.1 as expeditiously as possible.

However, above named petitioner nos.2 to 4 are directed to be enlarged on bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-Vth, Munger, in connection with Bariyarpur P.S. Case No.44/20, corresponding to Sessions Trial No.102/2020.

(Anjani Kumar Sharan, J)

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