

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6100 of 2021

Arising Out of PS. Case No.-105 Year-2020 Thana- JHAJHA District- Jamui

1. RUKA DEVI @ RUPA DEVI Wife of Pankaj Sah Daughter of Nand Kishore Sah, Resident of Village - Bara (Sahebganj), P.S. - Belhar, District - Banka.
2. Pankaj Sah @ Pankaj Kumar Sah Son of Bhola Sah Resident of Village - Bara (Sahebganj), P.S. - Belhar, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bharat Lal
For the Informant	:	Mr. Rajesh Kr. Sinha

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 15-12-2021 Heard learned Counsel for the petitioners, learned Additional Public Prosecutor for the State and learned counsel for the informant.

This application, for grant of anticipatory bail, arises out of Jhajha Police Station Case No. 105 of 2020, disclosing offences under Section 302/ 201/ 34 of the Indian Penal Code.

As per prosecution case, Karmi Devi, the mother of the deceased, is informant. The marriage of her daughter was solemnized with co-accused, Nand Kishore Sah. She gave birth to two daughters and one son. It has further been alleged that the members of matrimonial inmates always used to assault her

and also threaten her to kill, if she would fail in providing money. On 01.04.2020, the accused persons killed the daughter of the informant and on information rushed to her matrimonial house where accused persons abused her and said that they have killed the deceased.

Learned counsel for the petitioner has submitted that the petitioner No.1 is married Nanad and petitioner No.2 is Nandosi of petitioner No.1 and they have no relation with the alleged occurrence. They have falsely been implicated since they are close relatives of the house of the deceased.

On the other hand, he learned Addl. P.P. has opposed the prayer for bail.

The order of the learned Sessions Judge, Jamui dated 09.11.2020 reveals that in paragraph No.7 and 8 of the case diary, the witness have stated that petitioner No.1 Ruka Devi and petitioner No.2 Pankaj Sah were living in the village Dario from last 3-4 years and there was dispute in between the deceased and her Nanad Ruka Devi. Para No.13, which contains the inquest report shows that the dead body was found at Gandoghat dam and in column 5 of the inquest report, external injury has been mentioned which has been found on the person of deceased.

The impugned order shows itself that there was dispute between the petitioners and deceased and the investigation is still going on. It is not a fit case for anticipatory bail, accordingly, the prayer for anticipatory bail is hereby rejected.

(Nawneet Kumar Pandey , J)

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