

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80562 of 2019

Arising Out of PS. Case No.-13 Year-2019 Thana- KOTHIGRAM District- Gaya

1. KALAWATI DEVI, aged about 55 years, Female, wife of Hari Sao.
2. Ashok Sao, aged about 40 years, Male, son of Hari Sao.
3. Sunita Devi, aged about 35 years, Female, wife of Ashok Sao.
All are resident of Village - Bharbigha, P.S.- Kothi, District - Gaya.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Kunwar Narayan Jamuar, Advocate
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

6 20-01-2021 Heard learned counsel for the petitioners and
learned counsel for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Kothi P.S. Case No.13 of 2019 (G.R. No.651 of 2019), registered for the offence under Section 302/34 of the Indian Penal Code.

An F.I.R. has been lodged by Krishna Sao, making allegation that his daughter was married to Anuj Sao and after the marriage, he used to assault his daughter, later on, he fractured the hand of his daughter but, at the instance of people of the locality she was treated. It has further been alleged that Anup Sao has illicit relationship with his *Bhabhi* and that was



the reason of dispute between the wife and husband. It has also been alleged that on 01.06.2019 at about 4:00 P.M. he received information that the entire family members have jointly killed his daughter and when the informant reached to the house of her daughter, her dead body was lying in the courtyard and where he could know that all family members including these petitioners have killed his daughter.

Learned counsel for the petitioners submits that the victim has developed a suspicion that her husband has illicit relationship with his *Bhabhi* but, the real fact is that the husband of the deceased used to take money from his *Bhabhi* for looking after his son.

Learned counsel for the State submits that it is not the case of suicide but, it is a murder. He has drawn the attention of this Court to the port-mortem report, which shows that victim-lady died of strangulation and doctor has found “V” shape oblique ligature mark in the neck of the victim-lady.

In reply, learned counsel for the petitioners submits the opinion of the doctor fortifies the submission that it is a case of suicide not murder.

Looking to the entire facts and circumstances of the



case, let the petitioners, above named, be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the S.D.J.M., Sherghati, Gaya, in connection with Kothi P.S. Case No.13 of 2019 (G.R. No. 651 of 2019), subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that whenever the police will call the petitioners for the purposes of investigation and interrogation, they will remain present for the investigation. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled.

(Shivaji Pandey, J)

pawan/-

U		T	
---	--	---	--

