

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3307 of 2022

Arising Out of PS. Case No.-4 Year-2021 Thana- BHAGWANGANJ District- Patna

Ganauri Singh, S/o Late Hiralal Singh @ Late Hira Singh, Resident of
Village- Kharauna, P.S.- Bhagwanganj, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 6616 of 2022

Arising Out of PS. Case No.-4 Year-2021 Thana- BHAGWANGANJ District- Patna

Ranju Devi, W/O Ganauri Singh, R/o village- Kharauna, P.S.- Bhagwanganj,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 30109 of 2022

Arising Out of PS. Case No.-4 Year-2021 Thana- BHAGWANGANJ District- Patna

Mantu Kumar, S/o Sri Ganauri Singh Resident of Village- Kharauna, P.S.-
Bhagwanganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 3307 of 2022)

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Md. Aslam Ansari, APP

(In CRIMINAL MISCELLANEOUS No. 6616 of 2022)

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta, APP

(In CRIMINAL MISCELLANEOUS No. 30109 of 2022)

For the Petitioner/s : Mr.Rajeev Sah, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA



ORAL ORDER

4 15-11-2022 Since all the applications arise out of Sessions Trial No. 435 of 2021, arising out of Bhagwanganj P.S. Case No. 4 of 2021, as such, the same have been taken up together and are being disposed of by this common order.

Heard learned counsels for the petitioners and learned APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from today.

In the present case, the petitioners seek bail in connection with Sessions Trial No. 435 of 2021, arising out of Bhagwanganj P.S. Case No. 4 of 2021, registered for the alleged offence under Sections 302, 201/34 of the Indian Penal Code.

As per prosecution case, the petitioners who are husband and parents-in-law of the deceased daughter of the informant, committed her murder and concealed the dead body.

The learned counsel appearing on behalf of the petitioners Ganauri Singh and Ranju Devi submits that the petitioners are innocent and have been falsely implicated in this case and they have nothing to do with the affairs of the deceased and her husband. The deceased picked up a quarrel with her husband over a trivial matter on her suspicion of love affair between her husband and his sister-in-law and she committed



suicide and her dead body was disposed of. The conduct of the petitioners also shows them to be innocent since they were found in their house when the police came in search of them and arrested them just next day after the FIR. The learned counsel further submits that the petitioners are aged about 74 years and 63 years, respectively and are in custody since 11.01.2021 on a false accusation. The charge sheet has been submitted in this case.

The learned counsel appearing on behalf of the petitioner Mantu Kumar submits that the petitioner has been falsely implicated in this case and has not committed any offence. The petitioner was married with the daughter of the informant in the year 2009 and since then they have been living a happy married life. Out of their wedlock, two children aged about 7 years and 3.5 years, respectively have been born. As a matter of fact, the son of the petitioner and the deceased lived with his maternal grand-parents at his maternal home. The deceased was not at her matrimonial home as she had gone to her parental home to meet her son on 09.01.2021. Thereafter, suddenly on 10.01.2021, the father of the deceased came to the house of the petitioner and started making hue and cry over whereabouts of his daughter. There is no eye witness to the



whole occurrence, though the occurrence took place during day time. Though the information was given to the police quickly, but the police kept of searching the dead body for two days and thereafter, the police was informed by the informant that the dead body of his daughter was lying at some place and the dead body was later on recovered in decomposed condition. Thereafter, false and concocted story of love affair between the petitioner and his sister-in-law has been made. There is no motive for killing the daughter of the informant, but the same is preposterous considering the involvement of other two petitioners who are parents of this petitioner. The co-accused Rekha Devi, the sister-in-law of the petitioner, stayed in Haryana and was not present on the alleged date of occurrence and she was arrested later on by the police when she came to visit her village on hearing news of the alleged happenings. This co-accused has been granted bail by a Coordinate Bench of this Court vide order dated 14.02.2022 passed in Cr. Misc. No. 41314 of 2021. The learned counsel further submits that the informant has not disclosed how he got the information of the alleged occurrence and neither the statement of the person who gave this information to the informant nor the statements of children of the deceased have been recorded by the police. Then



there is doubt over the identity of the dead body which was recovered as no DNA test has been conducted and no identifying marks were disclosed by the informant. The petitioner is in custody since 19.01.2021 and the charge sheet has been submitted.

Learned APP opposes the prayer for bail submitting that the petitioners who are parents-in-law and husband of the deceased daughter of the informant, respectively committed her murder and concealed the dead body. The learned APP further submits that the deceased died due to asphyxia resulting from ante-mortem compression on neck.

Perused the records.

Having regard to the facts and circumstances and submissions made hereinabove and considering the lack of substantive material against the petitioners to connect them with the crime as alleged and further considering the period of custody of the petitioners and submission of charge sheet along with their clean antecedent, the petitioners are directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, Masaurhi, Patna, in connection with Sessions Trial No. 435 of



2021, arising out of Bhagwanganj P.S. Case No. 4 of 2021, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be the close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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