

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29003 of 2021

Arising Out of PS. Case No.-326 Year-2020 Thana- BISFI District- Madhubani

1. MAHAVIR SAH Son of Shree Laxman Sah Resident of Village - Sandullahpur, Police Station - Bisfi, District - Madhubani.
2. Sohiya Devi Wife of Mahavir Sah Resident of Village - Sandullahpur, Police Station - Bisfi, District - Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mukund Mohan Jha, Advocate
For the Opposite Party/s	:	Mr. Uday Pratap Singh, APP
For the Informant	:	Mr. Shailendra Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 03-01-2022 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code.

As per the prosecution case, the husband of the sister of the informant disappeared. It is stated by the informant that his sister was done to death by her *Dewar* and *Dewrani*, the two petitioners herein.

It is submitted by learned counsel for the petitioners that the petitioners are *Dewar* and *Dewrani* of the deceased. They are separate in residence and mess and have no concern



with the affairs of the informant's sister. The petitioners are in custody since 20.9.2020 and have no criminal antecedent. Chargesheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant who submits that the daughter of the deceased whose statement has been recorded in course of investigation has categorically supported the prosecution case against the petitioners.

In response it is submitted by learned counsel for the petitioners that even from her statement it would be evident that the daughter of the deceased is not an eye witness to the actual occurrence.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the Court is not inclined to enlarge the petitioner no. 1, Mahavir Sah, on bail and the application is rejected.

Taking into consideration the material on record, the petitioner no. 2 being the *Dewrani* (sister-in-law) of the deceased and having remained in custody for over 1 year 3 months, the petitioner no. 2 Sohiya Devi is directed to be enlarged on bail in connection with Bisfi P.S. Case no. 326 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Benipatti, District Madhubani.

Learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

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