

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25567 of 2022

Arising Out of PS. Case No.-292 Year-2021 Thana- DEEPNAGAR District- Nalanda

Pammi Devi, W/O Sri Sanjay Singh Resident Of Village- Jhandubigha, P.S.- Ben, District- Nalanda.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 25453 of 2022

Arising Out of PS. Case No.-292 Year-2021 Thana- DEEPNAGAR District- Nalanda

Sumitra Devi, W/O Late Saryu Singh Resident Of Village - Painapur, P.S.- Deepnagar, Distt.- Nalanda.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 28657 of 2022

Arising Out of PS. Case No.-292 Year-2021 Thana- DEEPNAGAR District- Nalanda

Sanjay Singh @ Pappu Singh, S/O Late Balo Singh R/O Village- Jhandubigha, P.S.- Ben, District- Nalanda

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 25567 of 2022)

For the Petitioner/s : Mr. Ajay Thakur- Advocate
Ms. Vaishnavi Singh- Advocate

For the Opposite Party/s : Mr. Binod Kumar- A.P.P.

(In CRIMINAL MISCELLANEOUS No. 25453 of 2022)

For the Petitioner/s : Mr. Ajay Thakur- Advocate
Mr. Shivam- Advocate

For the Opposite Party/s : Mr. Bharat Lal- A.P.P.

(In CRIMINAL MISCELLANEOUS No. 28657 of 2022)

For the Petitioner/s : Mr. Ajay Thakur- Advocate
Ms. Vaishnavi Singh- Advocate



For the Opposite Party/s : Ms. Anita Kumari Singh- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-12-2022 **CRIMINAL MISCELLANEOUS No. 25453 of 2022**

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of her arrest
in a case registered for the offences punishable under Sections
302, 120(B)/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and is a woman
aged about 75 years and is mother-in-law of the deceased and
the informant alleges that his sister was married to Santosh
Singh in the Year 2008 and out of the wedlock, a child was born.
Further, her husband died in the Year 2018 and after his death,
the sister-in-law tortured her for property. On 18.08.2021,
Chanchala Devi informed that his sister has been killed along
with his niece and the house is locked from outside.
Accordingly, he reached the place of occurrence and saw the
dead body of his sister and niece.

The learned counsel for the petitioner submits that
petitioner has been falsely implicated in the present case. It is
next submitted that no grandmother would kill her own



granddaughter. It is also submitted that no one was found at the place of occurrence. It is next submitted that even petitioner was shocked when she came to know about the death of her daughter-in-law and granddaughter. The learned counsel next submits that son of the petitioner had died earlier on account of cancer and the granddaughter was the only in the lineage left and as such, there was absolutely no occasion for the petitioner to commit such a heinous occurrence.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on her furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Deepnagar P. S. Case No.292 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

CRIMINAL MISCELLANEOUS No.25567 of 2022

Heard learned counsel for the petitioner and learned



APP for the State.

The petitioner seeks bail in anticipation of her arrest in a case registered for the offences punishable under Sections 302, 120(B)/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the petitioner has antecedent of one case and is a woman and the informant alleges that his sister was married to Santosh Singh in the Year 2008 and out of the wedlock, a child was born. Further, her husband died in the Year 2018 and after his death, the sister-in-law tortured her for property. On 18.08.2021, Chanchala Devi informed that his sister has been killed along with his niece and the house is locked from outside. Accordingly, he reached the place of occurrence and saw the dead body of his sister and niece.

The learned counsel for the petitioner submits that petitioner is married *Nanad* of the deceased and was staying separately and as such, has been falsely implicated by the informant, so that he can create pressure upon the family to coerce them into submission, so that they part with the property of his brother-in-law in his favour.

Learned A.P.P. opposes the bail application and submits that there is specific allegation in the F.I.R. that after the



death of the brother of the petitioner, the petitioner was torturing the deceased and her daughter for property, so it may be a possibility that the petitioner might have committed the occurrence.

The learned counsel for the petitioner rebuts the submission and submits that the entire allegation hinges around suspicion and the purpose of arrest is not to punish but to ensure that the investigation is not hampered. It is next submitted that petitioner will cooperate in the investigation and will present herself as and when required by the Investigating Officer of the case, so that the truth comes out.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on her furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Deepnagar P. S. Case No.292 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.



However, in the event, if the investigating officer of the case files an application before the learned trial Court bringing to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation in the investigation or is not presenting himself when called, the learned trial Court after giving an opportunity of hearing to the petitioner shall pass orders in accordance with law and shall also be entitled to cancel her bail bonds.

Further, in the event, if the Investigating Officer after investigation submits charge-sheet against the petitioner connecting her with the offence, then the present anticipatory bail order shall lose its effect.

The learned trial Court is directed to send a copy of this order to the concerned Police Station.

CRIMINAL MISCELLANEOUS No. 28657 of 2022

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 302, 120(B)/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant



alleges that his sister was married to Santosh Singh in the Year 2008 and out of the wedlock, a child was born. Further, her husband died in the Year 2018 and after his death, the sister-in-law tortured her for property. On 18.08.2021, Chanchala Devi informed that his sister has been killed along with his niece and the house is locked from outside. Accordingly, he reached the place of occurrence and saw the dead body of his sister and niece.

The learned counsel for the petitioner submits that petitioner is husband of Pammi Devi and has been falsely implicated by the informant in order to coerce the family into submission, so that they part with the property of his brother in-law in their favour. It is also submitted that informant is not an eye witness to the occurrence.

Learned A.P.P. opposes the bail application and submits that there is specific allegation in the F.I.R. that after the death of the brother-in-law of the petitioner, the petitioner was torturing the deceased and her daughter for property, so it may be a possibility that the petitioner might have committed the occurrence.

The learned counsel for the petitioner rebuts the submission and submits that the entire allegation hinges around



suspicion and the purpose of arrest is not to punish but to ensure that the investigation is not hampered. It is next submitted that petitioner will cooperate in the investigation and will present himself as and when required by the Investigating Officer of the case, so that the truth comes out.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Deepnagar P. S. Case No.292 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

However, in the event, if the investigating officer of the case files an application before the learned trial Court bringing to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation in the investigation or is not presenting himself when called, the learned trial Court after giving an opportunity of hearing to the



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Further, in the event, if the Investigating Officer after investigation submits charge-sheet against the petitioner connecting him with the offence, then the present anticipatory bail order shall lose its effect.

The learned trial Court is directed to send a copy of this order to the concerned Police Station.

(Satyavrat Verma, J)

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