

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41020 of 2021**

Arising Out of PS. Case No.-23 Year-2021 Thana- LAUKAHA District- Madhubani

RAM KUMARI DEVI Wife of Ram Karan Sah Resident of Village - Station Road, Laukaha, P.S.- Laukaha, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 41145 of 2021

Arising Out of PS. Case No.-23 Year-2021 Thana- LAUKAHA District- Madhubani

GANESH SAH @ GANPATI SAH Son of Ram Karan Sah Resident of Village- Station Road, Laukaha, P.S.- Laukaha, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 41020 of 2021)

For the Petitioner/s : Mr.Jitendra Kumar Bharti

For the Opposite Party/s : Mr.Murli Dhar

(In CRIMINAL MISCELLANEOUS No. 41145 of 2021)

For the Petitioner/s : Mr.Kumari Shubham

For the Opposite Party/s : Mr.Murli Dhar

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

3 05-07-2022 Heard learned counsel 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 the date of
resumption of physical filing and physical removal of defect.

In the present case, the petitioners seek bail in



connection with Laukaha P.S. Case No. 23 of 2021 registered for the alleged offences under Sections 302, 304(B), 120(B) and 34 of the Indian Penal Code.

The prosecution case is that the petitioners along with co-accused persons committed murder of daughter of the informant on account of demand of motorcycle.

The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The allegations are vague, general and omnibus. The petitioners are mother-in-law and brother-in-law of the deceased and they never demanded anything and never tortured the deceased. The prosecution case is merely based on suspicion and no cogent material is available on record to support the prosecution case. The inquest report and post-mortem report do not show any external injury and post-mortem report shows death of the deceased was due to severe anaemia resulting in cardiac heart failure. This clearly shows that the deceased died due to natural causes. Learned counsel further submits that the petitioners are in custody since 28.01.2021.

Learned APP for the State opposes the prayer for bail submitting that the petitioners and other co-accused persons on account of demand of motorcycle, killed the daughter of the



informant.

Having regard to the submissions made hereinabove and considering the post-mortem report which shows death of the deceased due to cardiac heart failure and severe anaemia and further considering the period of custody of the petitioners, the petitioners above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Jhanjharpur, Madhubani in connection with Laukaha P.S. Case No. 23 of 2021, subject to the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioners will remain present on each and every date fixed by the court below.

(iii) In case of absence for 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)

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