

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34298 of 2021

Arising Out of PS. Case No.-5 Year-2021 Thana- LALGANJ District- Vaishali

1. PUTUL DEVI W/o Late Bhushan Kumar @ Bhushan Singh Resident of Village - Puran Tand, P.S.- Lalganj, Distt.- Vaishali.
2. Chayya Devi W/o Ramishwar Singh Resident of Village - Chainpur Bhagel, P.S.- Desari (Sahdeiop), Dist.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 45588 of 2021

Arising Out of PS. Case No.-5 Year-2021 Thana- LALGANJ District- Vaishali

1. JITTU SINGH @ JITTU KUMAR Son of Ramishwar Singh Resident of village - Chainpur Bhagel, P.S. - Desari, District - Vaishali.
2. Bittu Singh @ Pittu Singh @ Kunal Kumar Son of Ramishwar Singh Resident of village - Chainpur Bhagel, P.S. - Desari, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 34298 of 2021)

For the Petitioner/s : Mr.Shashank Chandra
Mr. Vatsal Verma

For the Opposite Party/s : Mr. Rewati Kant Raman, AC to SC 11
Mr. Md. Fahimuddin

(In CRIMINAL MISCELLANEOUS No. 45588 of 2021)

For the Petitioner/s : Mr.Shashank Chandra
Mr. Vatsal Verma

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 29-03-2022 Heard learned Counsel for the parties concerned, in both the cases.

The petitioners seek regular bail in connection with Lalganj Police Station Case No. 05 of 2021, registered for the offence punishable under Section 302/34 of the Indian Penal



Code.

The prosecution case, as per the First Information Report, is that the petitioners, in order to conceal the fact regarding the transfer of a piece of land by the father of the deceased in the year 2018, conspired and killed the informant's nephew.

Learned Counsel for the petitioners submits that the petitioner Putul Devi is the wife of the deceased; whereas petitioner Chayya Devi is the mother of the petitioner Putul Devi and petitioners Jitti Singh @ Jittu Kumar and Bittu Singh @ Pittu Singh @ Kunal Kumar are the brothers of petitioner Putul Devi. He next submits that all the family members of petitioner Putul Devi have been made accused in this case lodged by the informant, who happens to be the uncle of the deceased and has filed the present concocted case implicating the entire family members of the petitioner Putul Devi because he was having a greedy eye over the landed property of the deceased inasmuch as the ancestral land of the family was transferred in favour of the petitioner Putul Devi by way of sale deeds executed in the year 2018 by her father-in-law and father of the deceased. He next submits that the motive has been assigned by the informant in the First Information Report that



the petitioner Putul Devi, in order to conceal the transfer of land by her father-in-law in her favour, has conspired and killed her husband is palpably wrong inasmuch as prior to the alleged occurrence, an informatory petition was filed by the deceased in the year 2020, bearing Information Petition No. 3672 of 2020, before the learned Chief Judicial Magistrate, Vaishali, at Hajipur, in which the deceased has categorically stated regarding the transfer of land by his father in favour of his wife, i.e. the petitioner Putul Devi and has levelled certain allegation against the informant and his family members. He next submits that except the motive assigned against the petitioner, no material has come against them during the investigation of this case. He next submits that the petitioners, Putul Devi and Chayya Devi are in custody since 05.01.2021 and petitioners Jitti Singh @ Jittu Kumar and Bittu Singh @ Pittu Singh @ Kunal Kumar are in custody since 10.06.2021 and charge sheet has been submitted against them and as such there is no apprehension that the petitioners will abscond and/or tamper with the evidence.

On the other hand, learned Counsel for the State submits that in order to grab the land, the petitioner Putul Devi, along with her family members, has killed her husband with



intention that after his death, she will become the absolute owner of the landed property.

Regards being had to the submissions advanced on behalf of the parties and taking into consideration the materials on record and the fact that prior to the alleged occurrence, the deceased himself had filed an informatory petition levelling certain allegation against the informant and others, no prima facie evidence has come against the petitioners in course of investigation, charge sheet has been submitted against them and they are in custody since 05.01.2021 and 10.06.2021 respectively, I am inclined to grant regular bail to the petitioners.

This application is, accordingly, allowed.

Let the petitioners, above named, be released on bail, upon furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned 9th Additional Chief Judicial Magistrate, Vaishali, at Hajipur, in connection with Lalganj Police Station Case No. 05 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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