

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45197 of 2021**

Arising Out of PS. Case No.-139 Year-2020 Thana- KURTHA District- Jehanabad

1. Rinku Devi, W/o Bhushan Yadav, Resident of village- Pondil, P.S.- Kurtha, Dist.- Arwal.
2. Pinki Kumari, D/o Bhushan Yadav, Resident of village- Pondil, P.S.- Kurtha, Dist.- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Nitya Nand Neeraj, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

4      04-07-2022              Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, within a period of four weeks from today.

Heard Mr. Nitya Nand Neeraj learned counsel for the petitioner and the learned Additional Public Prosecutor for the State.

The petitioners seek regular bail, who are in custody in connection with Kurtha P.S. Case No. 139 of 2020 (S.T. No. 130 of 2021 and 47 of 2021) registered for the offences punishable under Sections 302, 201, 120B/34 of the Indian Penal Code.

As per the prosecution case, it is alleged that on



01.07.2020, the son of the informant, namely, Rajnish Kumar along with his younger son (Nitish Kumar) had gone to Kurtha for opening bank account and when his younger son did not come back to his house, the informant asked about his younger son Nitish Kumar (deceased), thereupon he (Rajnish Kumar) said that he would be returning from the bank. It is further alleged that in the morning he got information that dead body of his son Nitish Kumar has been found in village Chand Bigha.

The learned counsel appearing on behalf of the petitioners submit that the petitioners are ladies and the petitioner no.1 happens to be “Samdhin”, whereas petitioner no. 2 is the daughter-in-law of the informant. It is further submitted that there is no eyewitness to the alleged occurrence, but only on the basis of suspicion their names have been implicated in this case that both the petitioners wanted to grab the property of the deceased anyhow and due to which they might have committed the murder of the son of the informant. It is also submitted that during the course of investigation, no cogent material has come which suggests the complicity of these two petitioners in the present occurrence. It is lastly submitted that the investigation of the crime has already been completed and the charge sheet has been submitted way back on 24.09.2020, and further charges



has also been framed on 27.10.2021, however, the trial is still pending. The petitioners are in custody since 04.07.2020 having fair antecedent.

On the other hand learned counsel for the State vehemently opposes the bail application and submits that during the course of investigation the complicity of the petitioners have come and as such charge-sheet has been submitted under Sections 302, 201, 120(B)/34 of the Indian Penal Code against the petitioners.

Having considered the submissions made on behalf of the parties and taking into consideration the fact that the petitioners are ladies and are in custody since 04.07.2020 though the investigation of the crime is already completed and the charges have been framed, let the petitioners, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VIII, Jehanabad in connection with Sessions Trial No. 130 of 2021 / 47 of 2021, arising out of Kurtha P.S. Case No. 139 of 2020, subject to the condition that one of the bailors will be the close relatives of the petitioners with further conditions which are as follows:-



(i) The petitioners will cooperate in conclusion of the trial.

(ii) They will remain present on each and every date of trial till disposal of the case.

(iii) They will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, their bail bonds will liable to be cancelled.

**(Harish Kumar, J)**

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