

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36191 of 2022

Arising Out of PS. Case No.-141 Year-2022 Thana- MADANPUR District- Aurangabad

1. SARITA DEVI Wife of Badku Mistri @ Dinesh Sharma @ Dineshwar Sharma Resident of Village - Padaiya, P.S.- Madanpur, District - Aurangabad.
2. Salu Kumari @ Baby Kumari Daughter of Badhu Mistri Resident of Village - Padaiya, P.S.- Madanpur, District - Aurangabad.
3. Badku Mistri @ Dinesh Sharma @ Dineshwar Sharma Son of Late Moti Mistri Resident of Village - Padaiya, P.S.- Madanpur, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 38116 of 2022

Arising Out of PS. Case No.-141 Year-2022 Thana- MADANPUR District- Aurangabad

1. DIMPAL DEVI @ DIMPLE KUMARI WIFE OF DHARMENDRA SHARMA D/O- GANAURI MISTRI R/O VILLAGE- PADARIYA, P.S.- MADANPUR, DISTRICT- AURANGABAD, PRESENTLY RESIDENT OF VILLAGE- SHEKHPURA, P.S.- SHERGHATI, DISTRICT- GAYA
2. BEAUTY KUMARI WIFE OF MUKESH KUMAR, D/O- GANAURI MISTRI R/O VILLAGE- PADARIYA, P.S.- MADANPUR, DISTRICT- AURANGABAD, PRESENTLY RESIDENT OF VILLAGE- BANGALI BIGHA, P.S.- CHANDAUTI, DISTRICT- GAYA
3. SWEETY KUMARI D/O- GANAURI MISTRI R/O VILLAGE- PADARIYA, P.S.- MADANPUR, DISTRICT- AURANGABAD
4. NUTAN KUMARI D/O- GANAURI MISTRI R/O VILLAGE- PADARIYA, P.S.- MADANPUR, DISTRICT- AURANGABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 36191 of 2022)

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Akshay Lal Pandit

Mr. Amit Anand

(In CRIMINAL MISCELLANEOUS No. 38116 of 2022)

For the Petitioner/s : Mr. Ujjawal Kumar Singh

For the Opposite Party/s : Mr. Arun Kumar



CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-09-2022 Heard learned counsel for the petitioners and learned APP
for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code.

Allegedly, the petitioners strangled the daughter of the informant to death. The deceased was also six months pregnant at the time of occurrence.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to dirty village politics. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. The petitioners are the in-laws and family members of the deceased. There is no specific overt act against the petitioners. Petitioners have no criminal antecedent, which is also



mentioned in para-3 of the bail applications.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail and submits that all the petitioners are involved in alleged crime.

Having regard to the facts and circumstances of the case, I am not inclined to grant bail to the petitioners. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

However, petitioners are directed to surrender before the learned Court below within a period of six weeks from today and seek regular bail and the learned Court below would pass the order, preferably, on the same day, in accordance with law.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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