

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70133 of 2021

Arising Out of PS. Case No.-549 Year-2020 Thana- DEHRI TOWN District- Rohtas

-
1. SONA DEVI @ SONI DEVI Wife of Jokhan Paswan @ Ajeet Kumar
 2. Jokhan Paswan @ Ajeet Kumar Son of Dinanath Paswan @ Dinanath Ram
Both Resident of Mohalla - Barah Pathar, Ward No.- 35, P.S. - Dehri
(Town), P.O. - Dehri, District - Rohtas, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh, Advocate
For the Opposite Party/s : Ms. Madhuri Lata, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 05-05-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioners seek bail in a case registered for the
offences punishable under Sections 302/34 of the Indian Penal
Code.

Learned counsel for the petitioners submits that the
petitioner no. 1 is in custody since 30.01.2021 and petitioner no.
2 is in custody since 05.01.2021 respectively, are persons with
clean antecedent and charge-sheet has been submitted in this
case.

The informant alleges that three years back her



daughter was married to Munna Paswan. Further, on 23.07.2020, the informant received information from the son of the Gotani of the deceased that the victim is unwell. Further, while the informant was on his way then again the son of the Gotani of the deceased called and informed the informant that the victim died. Further, when the informant reached the place of occurrence, he found his daughter dead and all the accused persons were preparing to cremate the body, who fled away seeing the informant. Further, it alleges that the informant was informed by the villagers that the accused persons used to assault her daughter and Munna Paswan used to object. Further, the accused persons killed the daughter of the informant by strangulating her. It is also alleged that the victim had a child six months old.

Learned counsel for the petitioners submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that the informant is not an eyewitness to the occurrence. The FIR itself discloses that the son of the Gotani of the deceased had informed about the death of the deceased to the informant. It is, thus, submitted that if the deceased would have been killed then definitely no information would have been given to the informant by the family member of the deceased. It



is also submitted that husband of the deceased is not an accused and the petitioner no. 1 is the Gotani and petitioner no. 2 is Bhaisur of the deceased and it was the son of petitioner no. 1 who had disclosed about the death of the victim to the informant.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioners.

Considering the fact that the petitioner no. 1 is in custody since 30.01.2021 and petitioner no. 2 is in custody since 05.01.2021 respectively, are persons with clean antecedent and charge-sheet has been submitted and taking into consideration the submissions made by the learned counsel for the petitioners, the petitioners, above named, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Dehri Town P.S. Case No. 549 of 2020 giving rise to Sessions Trial No. 170 of 2021.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

