

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68622 of 2021

Arising Out of PS. Case No.-248 Year-2020 Thana- LADANIA District- Madhubani

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RUNA DEVI W/o Sanjay Sah Resident of Village - Mahua, P.S.- Ladania,
Distt.- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rakesh Kumar Sharma, Advocate
For the Informant	:	Mr. Shashi Dhar Jha, Advocate
For the Opposite Party/s	:	Mr. Ajay Kumar Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-05-2022 Heard learned counsel for the petitioner, learned
counsel for the informant 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 petitioner seeks bail in a case registered for the
offences punishable under Sections 302/34 of the Indian Penal
Code, Section 27 of the Arms Act and Sections 3 and 4 of the
Explosive Substance Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 11.08.2021, charge-sheet has been
submitted, is a person with clean antecedent and is a woman.

The informant alleges that his sister was married to
Rajiv Sah and he had land dispute with his brother Sanjay Sah.
It is alleged that on account of land dispute between the brother,



the occurrence has taken place. It is further alleged that niece of the informant informed him that Fua and Fufa has been killed, accordingly, the informant reached the place of occurrence where he saw the dead body of the deceased.

Learned counsel for the petitioner submits that there is no eyewitness to the occurrence and as per FIR it was niece of the informant who had informed that Fua and Fufa has been killed and, as such, even the niece (daughter of the brother of the informant) was also not an eyewitness to the occurrence. Learned counsel submits that during the course of investigation the statement of the daughter of the deceased was recorded by the police in which she has stated that it was Sanjay Sah who killed her parents while other accused was standing in the courtyard. Learned counsel further submits that petitioner is the wife of Sanjay Sah and the daughter of the deceased has not alleged anything against her in her statement under Section 161 Cr.P.C.

Learned counsel for the informant and learned A.P.P. for the State vehemently opposed the prayer for regular bail of the petitioner but are not in a position to rebut the submission of the learned counsel of the petitioner that the daughter of the deceased has not taken the name of this petitioner.



Considering the fact that the petitioner is in custody since 11.08.2021, charge-sheet has been submitted, is a person with clean antecedent and is a woman and the daughter of the deceased has not taken the name of the petitioner in her statement under Section 161 of the Cr.P.C., the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Ladania P.S. Case No. 248 of 2020.

(Satyavrat Verma, J)

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