

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2170 of 2022

Arising Out of PS. Case No.-407 Year-2021 Thana- GOGRI District- Khagaria

1. Rina Devi Wife Of Mahesh Tanti Resident Of Village-Mushkipur, P.S.-Gogari, District-Khagaria.
2. Sima Devi @ Sima Kumari Wife Of Sonu Kumar, Daughter Of Mahesh Tanti Resident Of Village-Lataha Nariyar, Ward No.-5, Kahara, P.S.-Sadar, District-Saharsa.
3. Nish Devi @ Nisha Kumari Wife of Suraj Kumar Resident of Village-Ramtola Kothia, P.S.-Muffasil, District-Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR ADVOCATE GENERAL PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

Petitioners seek regular bail in registered for the offences punishable under sections 302/34 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, these petitioners assaulted the wife of the informant as a result of which she became unconscious and died during course of treatment.

Learned counsel for the petitioners submits that the petitioners no. 2 and 3 are married daughters of petitioner no.1 and they live in their matrimonial house and are not concerned with the affairs of the informant and the deceased. There is



general and omnibus allegation of assault against all the petitioners and no specific overt act has been alleged against them. Informant and petitioners are close relatives and the incident occurred on a trivial issue and there was no intention of the petitioners to kill the wife of the informant. They are in custody since 13.9.2021.

Learned counsel for the State opposes the prayer for bail and submits that there is specific allegation against the petitioners that they thrashed the wife of the informant who died during course of treatment. Doctor has also opined that the victim died due to assault.

Considering the nature of accusation and the material surfaced during investigation, prayer for bail of the petitioners is refused.

(Prabhat Kumar Singh, J)

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