

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9920 of 2023

Arising Out of PS. Case No.-391 Year-2022 Thana- UCHKAGAON District- Gopalganj

1. RINKI KUMARI D/O KASHINATH SHARMA @ KASHI SHARMA
Resident of Village- Balahata, Birti Tola, P.S.- Uchkagaon, District-
Gopalganj.
2. GYANTI DEVI W/O KASHINATH SHARMA @ KASHI SHARMA
Resident of Village- Balahata, Birti Tola, P.S.- Uchkagaon, District-
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad
For the Opposite Party/s : Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 06-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for bail in a case
instituted for the offence under Sections 363/365 of the Indian
Penal Code and Section 302/34 of the Indian Penal Code.

As per allegation in the FIR, son of the informant,
namely, Saroj Ansari went to his Bathan and slept there but
informant found his son missing from very next morning and his
mobile was also going switched off. During search, his dead
body was found in the chour of Balahata Village.

It is submitted by learned counsel for the petitioners
that petitioners have been falsely implicated in this case. In fact,



petitioner no. 1 was in love with the deceased. From CDR of their mobiles, it appears that deceased was in talking term with petitioner no. 1, who is daughter of petitioner no. 2. Mobile which was being used by petitioner no. 1, belongs to her brother, namely, Santosh Kumar Sharma. Save and except suspicion, nothing has come against the petitioners to show their involvement in the present case. During investigation, it has come that deceased was a hard core criminal and strong suspicion has been raised by several witnesses that he might have been killed by any other person due to enmity. Petitioners are languishing in judicial custody since 12.11.2022.

Both the petitioners were granted provisional bail by this Court on account of marriage of petitioner no. 1 on 20.02.2023 with a direction to surrender before the learned Court below before 27th March, 2023 followed by production of a surrender certificate on the next date of hearing.

In compliance of the said order, learned counsel for the petitioners has filed an affidavit bringing on record that petitioners have already surrendered before the court below before 27.03.2023 and since then they are languishing in judicial custody.

The application for bail is opposed by learned APP for



the State and submitted that just before the occurrence, conversation between the petitioner no. 1 and deceased was made. Several Panchayati were done to settle their dispute in which petitioner no. 2 given threatening to kill the deceased.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned ACJM-IX, Gopalganj in connection with Uchkagaon P.S. Case No. 391 of 2022.

(Sunil Kumar Panwar, J)

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