

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 19731 of 2023

Arising Out of PS. Case No.-321 Year-2022 Thana- MAHNAR District- Vaishali

1. Rakesh Singh @ Rakesh Kumar Singh Son Of Vishwanath Singh R/O Village- Madhuvan, P.S.- Madhuvan, District- East Champaran, At Present Village- Kauriya, P.S.- Madhuvan, District- East Champaran, Bihar
2. Rinku Singh @ Deepshikha Wife Of Rakesh Singh @ Rakesh Kumar Singh R/O Village- Madhuvan, P.S.- Madhuvan, District- East Champaran, At Present Village- Kauriya, P.S.- Madhuvan, District- East Champaran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakash Chandra, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 14-06-2023 Heard Mr. Prakash Chandra, learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor for the State.

The petitioners happens to be brother-in-law and sister-in-law of the deceased are apprehending their arrest in connection with Mahnar P.S. Case No. 321 of 2022, registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

It is alleged that the marriage of the sister of the informant was solemnised with one Jitesh Kumar Singh in the year 2009 and from their wedlock two children were also born. It is further alleged that on 07.11.2022 the informant received an



information that all the accused persons, including the petitioners, killed his sister.

Learned counsel appearing on behalf of the petitioners submits that the marriage of the petitioners no. 1 and 2 was solemnised in the year 2002 itself and thereafter they have been residing separately at village Madhuban in the district of East Champaran and they had no concern with the matrimonial affairs of the deceased. He next submitted that even as per the FIR only suspicion has been raised and further with a view to pressurize all the family members, names of the petitioners have been implicated. He further submits that there is no specific allegation regarding their involvement rather omnibus allegation has been levelled against all the accused persons, including the petitioners, apart from the fact that no reason of killing has been stated. Further submission has been made that the petitioners have absolutely clean antecedent and they undertake that they will fully cooperate in the investigation and will not indulge in intimidating the witnesses and tampering the evidences.

On the other hand, learned counsel for the State opposed the bail application.

Regard being had to the submissions made on behalf of the parties and considering the relationship of the petitioners



with the deceased, coupled with the fact that they were residing at different place after their marriage, apart from omnibus allegation, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahnar P.S. Case No. 321 of 2022, subject to the conditions laid down in Section 438(2) Cr.P.C.

(Harish Kumar, J)

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