

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43156 of 2022

Arising Out of PS. Case No.-608 Year-2021 Thana- GOGRI District- Khagaria

1. Navita Kumar @ Vinita Kumar @ Navita Kumari @ Vinita Kumari D/o Dayanand Chourasiya R/o village- Barahra, P.S.- Gogri, District- Khagaria
2. Dayanadn Chourasiya @ Dayaram Chourasiya S/o Mohan Prasad Chourasia @ Mohan Mandal R/o village- Barahra, P.S.- Gogri, District- Khagaria
3. Indra Devi W/o Dayaram Chourasia R/o village- Barahra, P.S.- Gogri, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 13-02-2023 Let the defects, if any, pointed out by the office be removed within two weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioners and the learned APP for the State.

Petitioners seek regular bail in connection with Gogri P.S. Case No. 608 of 2021 registered for the offences punishable under Sections 364/34, 302, 201/34 of the Indian Penal Code.

Allegedly, the brother of the informant namely, Mukesh Kumar was having an affair with the accused Navita Kumari (petitioner no. 1) and it is suspected by the informant that Navita

Kumari (petitioner no. 1), her father (petitioner no. 2) and her mother (petitioner no.3) with the help of some other persons committed the murder of his elder brother.

The main submissions advanced by learned counsel for the petitioners are that all the petitioners are close relatives of each other, petitioner no. 1 and petitioner no. 3 are married women and in the FIR there is no specific allegation against any of them and only suspicion was raised against them and they have fair and clean antecedent and languishing in jail since 29.12.2021.

Learned counsel for the informant as well as learned APP for the State has vehemently opposed the bail prayer of the petitioners and submitted that there is a serious allegation against the petitioners.

Considering the seriousness of the allegation which relates to a pre-planned murder, committed in furtherance of conspiracy hatched up by all the petitioners and during investigation in following with the disclosure statement of one of the petitioners the dead body of the deceased was recovered near the house of the petitioners, this Court is not inclined to accept the prayer of the petitioners, accordingly their prayer for bail stands rejected.

Petitioner no. 1 and 3 are given liberty to renew their bail
prayer after six months if no progress is made in their trial.

(Shailendra Singh, J)

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