

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49020 of 2023

Arising Out of PS. Case No.-188 Year-2022 Thana- PAHARPUR District- East Champaran

1. DEVENDRA MISHRA Son of Ganga Mishra Resident of Village-Latiya Brit Ramnagar, P.S.-Paharpur, District-East Champaran
2. PUNITA MISHRA @ PUNITA DEVI Wife of Devendra Mishra Resident of Village-Latiya Brit Ramnagar, P.S.-Paharpur, District-East Champaran
3. PRINCE MISHRA @ PRINCE KUMAR MISHRA Son of Nagendra Mishra Resident of Village-Latiya Brit Ramnagar, P.S.-Paharpur, District-East Champaran
4. RUDDY DEVI Wife of Prince Mishra Resident of Village-Latiya Brit Ramnagar, P.S.-Paharpur, District-East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kant Mani Tripathi, Adv.
For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 28-08-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. In compliance of order dated 11.08.2023, learned counsel for the petitioner has filed a supplementary affidavit in the Court stated therein that the petitioners have no knowledge about the husband of the deceased and in spite of all efforts, they are unable to locate the husband of the deceased till date.

3. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 302, 34 of the Indian Penal Code.



4. Allegedly, the petitioners are said to have committed murder of the informant's sister.

5. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. Petitioners are in-laws of the deceased. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not false and based on concocted facts. They have been made accused in the present case merely on suspicion. They have no concern with family affairs of the deceased and her husband. The real fact is that the deceased was ill and had been suffering from mental disorder about which the informant had full knowledge and due to mental disorder, she committed suicide by hanging herself. Petitioner no. 4 has one criminal antecedent, whereas the rest petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as petitioner nos. 2 & 4 are females, let the above named petitioner nos. 2 & 4, be released on bail, in the event of their arrest or surrender before the learned Court below within a



period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Paharpur P.S. Case No. 188 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner nos. 1 & 3 on bail. The prayer for bail of the petitioner nos. 1 & 3 is hereby rejected.

8. Accordingly, this bail application stands partly allowed.

(Anjani Kumar Sharan, J)

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