

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65020 of 2022

Arising Out of PS. Case No.-392 Year-2021 Thana- GAIGHAT District- Muzaffarpur

1. Babita Devi W/O Late Deepak Kumar @ Deepak Rai Resident Of Village- Hariharpur, P.S.- Kamtaul, District- Darbhanga
2. Phool Devi @ Phul Devi W/O Kameshwar Rai @ Kameshwar Raut Resident Of Village- Hariharpur, P.S.- Kamtaul, District- Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gaurav Singh

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 18-07-2023 Heard learned counsel for the petitioners and

learned A.P.P appearing on behalf of the State.

The petitioners are languishing in custody in a

case registered for the offences punishable under

Sections 306/34 of the Indian Penal Code.

The prosecution case as per F.I.R is that the

son of the informant committed suicide along with his

two children due to the insult caused to him in his in-

laws' house.

It is submitted by learned counsel for the

petitioners that petitioners are innocent and they have



falsely been implicated in this case. There is general and omnibus allegation against the petitioners. The petitioner No. 1 is wife and petitioner No. 2 is mother-in-law of the deceased. The deceased was in depression and he has committed suicide at his own house and not in the house of the petitioners. The marriage of petitioner No. 1 with the deceased was performed eleven years prior to the date of occurrence and out of wedlock, two children were born, who were killed by the deceased. The suicide note was also not examined by the expert. The petitioners are languishing in custody since 23.07.2022. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent. Moreover, other similarly situated co-accused have been granted bail by a coordinate Bench of this Court vide order dated 18.05.2023 passed in Cr. Misc. No. 6593 of 2023.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioners and submitted that petitioners are wife and



mother-in-law of the deceased and the deceased in his suicide note has alleged against the petitioners that due to insult meted out by the in-laws family members including the petitioners, he is committing suicide.

Considering the facts aforesaid and the period under custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Muzaffarpur in connection with Gaighat P.S. Case No. 392 of 2021.

(Sunil Kumar Panwar, J)

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