

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9341 of 2024

Arising Out of PS. Case No.-336 Year-2023 Thana- RANIGANJ District- Araria

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1. Kokan Sharma, Aged about 68 years (M), S/O Late Anirudh Sharma Village- Gopalpur, Ward No. 15, P.S. Raniganj, Dist. Araria.
 2. Mahabati Devi, Aged about 65 years (F), W/O Kokan Sharma Village- Gopalpur, Ward No. 15, P.S. Raniganj, Dist. Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Amar Sharma, Aged about 32 years (M), Village- Ghoma, Ward No. 04, District-Purnia, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Madhav Jha, Advocate
For the Opposite Party/s :	Mr.Bhanu Pratap Singh, APP
For the Informant :	Mr. Manendra Kumar Sinha, Advocate
	Mr. Navneet Kumar, Advocate
	Mr. Nirmal Kumar, Advocate
	Mr. Kushal, Advocate
	Mr. Rakesh Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 10-04-2024 At the outset, learned counsel for the petitioner has submitted that on instructions he seeks permission to withdraw the application against petitioner no.1 namely, Kokan Sharma.

2. Permission is accorded.

3. Application against petitioner no. 1 stands dismissed as withdrawn.

4. So far as petitioner no.2 namely, Mahabati Devi is concerned, learned counsel for the petitioner is pressing this application for grant of regular bail in connection with Raniganj



P.S. Case No. 336 of 2023 instituted for the offences punishable under Sections 302, 201/34 Indian Penal Code.

5. As per F.I.R., the allegation against the accused persons including petitioner is that they have committed murder of the informant's sister namely, Ranju Devi by cutting her neck with dabiya.

6. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Petitioner is mother-in-law of the deceased and she has falsely been implicated in this case merely on suspicion. She has got no criminal antecedent. Petitioner is an old lady and she is languishing in judicial custody since 16.08.2023.

7. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for bail.

8. From perusal of the F.I.R., impugned order dated 29.11.2023 and case diary along with postmortem report, it appears that on the basis of fardbeyan of informant Amar Sharma, F.I.R. registered against six accused persons including the present petitioner. The allegation against the petitioner is that she along with her husband Kakan Sharma and other co-accused entered into the room of the informant's sister (deceased) and in sleeping condition they committed murder by



cutting her neck with *dabia*. Further, postmortem of the deceased also corroborate the prosecution case in which several cut injuries have been found in front of neck, both side of neck and near the neck. In para 13 of the case diary, eye witness namely, Heena Devi has fully supported the statement of informant. The allegation levelled against the petitioner is so serious and heinous in nature.

9. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, I am not inclined to grant bail to the petitioner.

8. Accordingly, prayer for regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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