

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33167 of 2024

Arising Out of PS. Case No.-310 Year-2023 Thana- RUPAULI District- Purnia

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1. Aruliya Devi Wife of Late Mahendra Rishi Resident of Village - Gaddighat Nawtoliya Ward no. 13, PS - Rupauli, Distt.- Purnia.
 2. Umesh Rishi Son of late Soman Rishi Resident of Village - Gaddighat Nawtoliya Ward no. 13, PS - Rupauli, Distt.- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are in custody in a case registered for the offence under Sections 302, 201 and 120(B) of the Indian Penal Code.

3. As per allegation in the FIR, it is a case of kidnapping and murder of the grandson of the informant due to personal grievances and enmity against the informant and his family members.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case due to dirty village politics. He next submits that neither any incriminating article has been recovered from the possession and house of these petitioners. Petitioners having clean antecedent as stated in para-3 of the petition and they are in custody since 12.12.2023.



5. Learned APP for the State opposes the prayer for bail of the petitioners and he submits that petitioners have committed the murder of the grandson of the informant.

6. On perusal of the first information report, case diary, FSL report and impugned order dated 20.03.2024, it appears that the dead body of the grand son of the informant is recovered from the open field of the petitioners and there is direct allegation against the petitioners for killing the grandson of the informant and hiding his dead body and one eye witness, namely, Ashok Kumar in his statement recorded under Sections 161 and 164 of the Cr.P.C has stated that on the night of 11.12.2023, when he was going to sleep in his house located near the pond, petitioners asked him to pick up the grandson of the informant dead body and threw it away, and out of fear, he threw the dead body in the maize field as mentioned in para-45 and 60 of the case diary. Considering all the aspect and material available on record, I am not inclined to grant bail to the petitioners.

7. Prayer for regular bail of the petitioners is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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