

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39831 of 2024

Arising Out of PS. Case No.-498 Year-2023 Thana- BEGUSARAI TOWN District- Begusarai

1. Poonam Devi @ Punam Singh @ Punam Devi W/o Late Ajay Kumar Singh @ Ajay Kumar @ Late Munna Singh @ Munna Presently- R/o Mohalla- Sri Krishna Nagar, Ward No.23, P.S.- Town, Dist- Begusarai Permanent R/o - Village- Babhangama, P.S.- Birpur, Dist- Begusarai
2. Adity Kumari @ Aditi Singh @ Adity Singh @ Makhan D/o Late Ajay Kumar Singh @ Ajay Kumar @ Late Munna Singh @ Munna, W/o Ravish Kumar @ Rabish Kumar Permanent R/o - Village- Maksudanpur, P.S.- Ballia, Dist- Begusarai Presently R/o Mohalla- Vishwanath Nagar, Road No. 3, Ward No. 23, P.S.- Town, Dist- Begusarai

... .. petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the petitioners/s	:	Mr. Sandip Kumar Gautam, Advocate
For the State	:	Mr. Tarun Prasad Mandal, APP
For the Informant	:	Mr. Ram Sumiran Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 26-10-2024 Heard Mr. Sandip Kumar Gautam, learned counsel for the petitioners, Mr. Ram Sumiran Singh, learned counsel appearing on behalf of the informant as well as Mr. Tarun Prasad Mandal, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Town P.S. Case No. 498 of 2023, F.I.R. dated 06.08.2023 for the offences punishable under Sections 302, 120(B)/34 of the Indian Penal Code.

3. According to prosecution case, both the petitioners along with one Ravish Kumar who is husband of petitioner no. 2



have murdered the brother of the informant who also happens to be the husband and father of petitioner no. 1 and 2 respectively on the sole reason of non-execution of the sale deed in favour of the petitioner no. 2

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the petitioner no. 1 is wife deceased and petitioner no. 2 is daughter of the deceased. He further submits that as per the allegation in the F.I.R which was lodged by the brother of the deceased, both the petitioners have killed his brother who also happens to be the husband of the petitioner no. 1 and father of the petitioner no. 2. He further submits that from perusal of the complaint petition/F.I.R, it appears that the date of occurrence is 20.07.2022 but the complaint petition was instituted on 07.09.2022 i.e. after delay of 48 days and the same was converted into the present F.I.R on 06.08.2023. He further submits that there is no reason behind the occurrence which suggests that the petitioners were involved in the crime in question.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have



vehemently opposed the prayer for bail of the petitioners and submits that it has come during investigation that only petitioners were present along with the deceased and the postmortem report of the deceased also suggests that the deceased died an unnatural death. It is also an admitted fact that only three persons were present at the place of occurrence including the deceased which shows without saying that the petitioners were involved in the present crime in question. Although there is no eye witness of the alleged occurrence but there is strong suspicion against these petitioners.

6. Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioners in connection with Town P.S. Case No. 498 of 2023 pending in the court of Chief Judicial Magistrate, Begusarai.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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