

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52459 of 2024

Arising Out of PS. Case No.-912 Year-2023 Thana- KANTI District- Muzaffarpur

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1. Sita Devi, Wife Of Harendra Sah Village- Raghapur Police Station- Minapur District- Muzaffarpur
 2. Geeta Devi @ Geeta Kumari, Wife Of Chandan Sah Mohalla- Aamgola Police Station -Mithanpura District- Muzaffarpur
 3. Mina Devi, Wife Of Late Ganesh Sah Village- Sadatpur Police Station- Kanti District- Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar S.K.
For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 30-07-2024 1. Heard learned counsel for the petitioners and learned APP for the State.
2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.
3. The learned counsel for the petitioners submits that Shivji Sah is son of Mina Devi, who is wife of Late Ganesh Sah. It is next submitted that the informant, who is wife of Shivji Sah, alleges that Gita Devi, Sita Devi and Sonu Kumar got the ancestral land recorded in their name



through Mina Devi, when in the said land her husband Shivji Sah also had his share and when Shivji Sah came to know about the said occurrence, he went to complain to the accused persons that as to why the land, which was in his share has been recorded in the name of Gita, Sita and Sonu, on which he was abused and assaulted. Further, on 25.11.2023, the informant had gone to the police station for registering an F.I.R. with regard to the occurrence dated 24.11.2023, when Shivji Sah was assaulted and accused persons taking advantage of the absence of the informant assaulted and strangled Shivji Sah to death.

4. The learned counsel for the petitioners submits that petitioner no.1 is own sister of the deceased, petitioner no.3 is mother of the deceased and petitioner no.2 is sister in-law of the deceased. It is next submitted that on account of dispute relating to property, the instant case has been instituted by the daughter in-law against her mother in-law and sister in-law. It is also submitted that the entire family have been implicated only with a view to coerce them into submission. It is next submitted that Shivji Sah out of



frustration had committed suicide being aggrieved by the conduct of the informant and the informant took the same as an opportunity to implicate the petitioners. It is also submitted that it absolutely does not stand to reason that if Shivji Sah was assaulted by the accused persons, in that event, he ought to have gone to the police station for registering an F.I.R., but then, the informant alleges that since her husband was assaulted, as such, she on 25.11.2023 had gone to the police station for registering an F.I.R., when the accused persons finding her husband alone strangled him to death. It is also submitted that Shivji Sah committed suicide by hanging himself. It is also submitted that petitioners will not abscond rather will cooperate in the investigation.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are



directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IIIrd, West, Muzaffarpur in connection with Kanti P. S. Case No.912 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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