

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.140 of 2024

Arising Out of PS. Case No.-631 Year-2023 Thana- KAHALGAON District- Bhagalpur

1. Arun Muni Son of Late Upendar Muni Resident of Village- Sondiha, P.S.- Pasrah, District- Khagaria.
2. Anita Devi wife of Arun Muni Resident of Village- Sondiha, P.S.- Pasrah, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Surendra Prasad Singh, APP
For the informant	:	Mr. Sandeep Patil, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 24-01-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Kahalgaon P.S. Case no.631 of 2023 registered under sections 304B and 34 of the Indian Penal Code.

3. As per the prosecution case, sister of the informant was married to one Balram Muni about one year ago. It is stated that the accused persons including the petitioners herein started to torture the informant's sister. The informant was finally informed that his sister had hanged herself to death. On reaching the place of occurrence, the informant saw that she had been strangled.



4. It is submitted by learned counsel for the petitioners that the petitioners are the married *Nanad* (sister-in-law) and her husband. The allegations are false and concocted. Admittedly, the informant is not an eye witness to the occurrence and the postmortem report does not support the allegations. The petitioners are in custody since 2.9.2023 and chargesheet has been submitted in the case. Coaccused dewar of the deceased namely Lakhan Muni has been enlarged on anticipatory bail vide order dated 18.12.2023 passed in Cr. Misc. no.80645 of 2023.

5. Application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant.

6. Learned counsel for the informant submits that there is direct allegations against the petitioners and the material has transpired in course of investigation that the petitioners and specially the petitioner no.1 used to come and instigate the other accused persons to torture the sister of the informant and she was ultimately killed by the accused persons including these petitioners.

7. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioners, their relationship with the deceased, chargesheet having been submitted



in the case and cognizance having been taken, grant of bail to the above named coaccused Lakhan Muni and the petitioners being in custody since 2.9.2023, the Court directs both the petitioners to be enlarged on bail in connection with Kahalgaon P.S. Case no. 631 of 2023 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur.

(Partha Sarthy, J)

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