

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2133 of 2024

Arising Out of PS. Case No.-393 Year-2017 Thana- MOTIPUR District- Muzaffarpur

1. Sanjay Sah Son Of Rajan Sah R/O Pancharukhi, P.S.- Motipur, District- Muzaffarpur, State- Bihar, 843111
 2. Janakiya Devi @ Janki Devi W/O Rajan Sah R/O Pancharukhi, P.S.- Motipur, District- Muzaffarpur, State- Bihar, 843111
- Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhigyan Kumar, Sneha Kumari, Advocate
For the Opposite Party/s : Mr.Syed Mojibur Rahman, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 498A/302/34 of the Indian Penal Code.

3. Petitioners are alleged to have killed daughter of the informant.

4. Petitioner no.1 is husband of the deceased, whereas petitioner no.2 is her mother-in-law. Marriage had taken place more than 15 years ago and out of the wedlock, petitioner no. 1 has three children and no complaint has ever been made regarding torture. Learned counsel for the petitioners submits that petitioner no.1 had some dispute with the deceased for not



providing festival goods of Chat Puja due to which she became infuriated and committed suicide. There is general and omnibus allegation against the petitioners and no specific overt act has been alleged against them.

5. Learned counsel for the State opposes the prayer for bail. He submits that petitioner no.1 is husband of the deceased and there is specific allegation that he along with other accused persons killed her. Post mortem report reveals that there was ligature mark around the neck of the deceased and she died of suffocation.

6. Considering the fact that petitioner no.1 is husband of daughter of the informant who died in suspicious condition at the matrimonial house, prayer for bail of petitioner no. 1 is rejected.

7. Since petitioner no.2 is mother-in-law of deceased and there is general and omnibus allegation against her, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate II, West Muzaffarpur in Motipur Police Station Case No. 393 of 2017/GR No. 2574 of 2017, subject to



the conditions laid down under section 438 of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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