

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4738 of 2025

Arising Out of PS. Case No.-68 Year-2024 Thana- KOTWA District- East Champaran

1. Shanti Devi W/O Sudama Das R/O Vill.- Adiya, P.S.- Kotwa, Dist.- East Champaran.
2. Sudama Das S/O Jaygovind Das @ Jaygovind Das R/O Vill.- Adiya, P.S.- Kotwa, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar, Adv.

For the Opposite Party/s : Mr.Shyam Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-02-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Kotwa P.S. Case No. 68 of 2024 registered on 15.03.2024 for the alleged offences under Section 302/34 of the Indian Penal Code.

03. As per prosecution case, the petitioners and other co-accused persons strangled the sister of the informant to death.

04. Learned counsel for the petitioners submits that the petitioners are parents-in-law of the deceased and they have been falsely implicated in this case. The prosecution story is completely false and fabricated. The marriage took place 29 years back. The



allegation is not believable as the marriage of the deceased took place with the son of the petitioners 29 years back and there was no occasion for killing the sister of the informant. The deceased and her husband were having four children. It further transpires that some altercation took place between the son of the petitioners and his wife and she committed suicide. The post mortem report also shows the death resulted from Asphyxia due to hanging. The petitioners are old age persons and are having clean antecedent. Learned counsel for the petitioners submits that the husband of the informant has already been granted regular bail by this Court vide order dated 18.01.2025 passed in Cr. Misc. No. 73369 of 2024.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioners. Learned A.P.P. submits that the petitioners are parents-in-law of the deceased and there is allegation against the petitioners and other co-accused persons for strangulating the sister of the informant to death.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that petitioners are parents-in-law of the deceased and further considering the vague nature of allegation against them and absence of substantive material to connect the petitioners with the offences as alleged, let the petitioners above named, in the event of



their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Court of A.C.J.M.-X, East Champaran at Motihari in connection with Kotwa P.S. Case No. 68 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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