

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29207 of 2025

Arising Out of PS. Case No.-12 Year-2025 Thana- KUTUMBA District- Aurangabad

1. Rameshwar Baitha S/O Late Ramvrat Baitha @ Late Rambarat Baitha R/O Village- Bedauliya, P.S- Kutumba, Distt.- Aurangabad.
2. Meena Devi W/O Rameshwar Baitha R/O Village- Bedauliya, P.S- Kutumba, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Adv Mr. Rakesh Singh, Adv
For the Opposite Party/s	:	Mr. Ajit Kumar, APP Mr. Aman Vishal, Advocate Ms. Leelawati Kumar, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 06-08-2025 1. Heard learned senior counsel for the petitioners, Shri Krishna Prasad Singh, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2. The petitioners seek bail in a case registered for the offences punishable under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita.
3. Learned senior counsel for the petitioners submits that petitioner are persons with clean antecedent and Petitioner No. 1 is in custody since 18-1-2025 and Petitioner No. 2 is in custody since 28-1-2025. It is next submitted that the informant alleges that his daughter was married to the son of the



petitioners, who died about four years back, as such his daughter was residing separately with her three daughters, further on 12-1-2025, Rahul entered the house of his daughter from rooftop and opened the gate and thereafter eight accused including the petitioners entered the house of the victim and assaulted his daughter and thereafter strangled her to death and when daughter of the victim came to save her, she was locked in a room.

4. Learned senior counsel for the petitioners submits that petitioners, being father-in-law and mother-in-law of the deceased, have been falsely implicated in the instant case by the informant. It is next submitted that after the death of their son, the informant along with the children were living separately. It is further submitted that though in the FIR, it is alleged that Rahul entered the house of the victim from the rooftop and thereafter opened the door and accordingly eight accused including the petitioners entered the house and thereafter assaulted the victim and strangled her to death, but then the post-mortem report does not corroborate the allegation of strangulation as alleged in the FIR. It is next submitted that petitioners are senior citizens and have remained a person with clean antecedent all their life and the allegation of assault is



general and omnibus in nature. It is further submitted that son of the petitioners, i.e., husband of the victim, died 4 years back, but then in these 4 years, no FIR or any complaint came to be instituted either by the deceased or the informant alleging misbehaviour or torture at the hands of the petitioners. It is also submitted that the statement of the daughter of the deceased was also recorded, wherein she has not totally supported the case of the prosecution, rather had stated that there was some altercation in between the accused person and her mother. It is also submitted that charges have been framed, as such the petitioners will cooperate in the trial to prove their innocence. It is next submitted that doctor has reserved the opinion with regard to cause of death, as *viscera* has been sent to FSL. It is further submitted that as far as allegation in the FIR is alleged, it does not even remotely suggest that the accused person forcibly administered any poison to the deceased.

5. The learned APP and the learned counsel appearing on behalf of the informant opposes the bail application of the petitioners but then are not in a position to rebut the submission of the learned senior counsel appearing on behalf of the petitioners that after the death of their son, no case or complaint ever came to be instituted against the petitioners either by the



deceased or the informant.

6. Considering the submission made by learned senior counsel for the petitioners, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kutumba P.S. Case No. 12 of 2025.

7. However, it is made clear that if the learned trial court comes to a conclusion that the petitioners after their release are trying to delay the trial in any manner, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

(Satyavrat Verma, J)

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