

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59287 of 2024

Arising Out of PS. Case No.-336 Year-2023 Thana- RANIGANJ District- Araria

1. Subodh Kumar Sharma @ Subodh Sharma, aged about 35 years, Male, Son of Maharangi Sharma R/O Vill.- Dhima, Banmankhi, P.S.- Banmankhi, Dist.- Purnea.
2. Soni Devi @ Soniya Devi, aged about 29 years, Female, Daughter of Kokan Sharma, Wife of Sanjit Sharma R/O Vill.- Ithari, P.S.- Jankinagar, Dist.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

4 14-02-2025 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are in custody in a case registered for the offence punishable under Sections 302 and 201/34 of the Indian Penal Code.

As per allegation in the FIR, it is a case of murder of the sister of the informant by the petitioners and other co-accused persons.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. He next submits that petitioners are married Nanand and Nandosi of the



deceased and they have no concern with the deceased and there is general and omnibus allegation as levelled against the petitioners. Petitioners have got clean antecedent as stated in para-3 of the petition and they are in custody since 28.04.2024. He next submits that similarly situated co-accused person has already been granted bail by this Court passed in Cr. Misc. No. 45471 of 2024.

Learned APP for the State opposes the prayer for bail of the petitioners and submits that petitioner no.1 is the main assailant of the deceased.

On perusal of the first information report, case diary and impugned order dated 01.07.2024, it appears that petitioner no.2 is lady, she is in custody since 28.04.2024 and she is married Nanad of the deceased as also the fact that petitioner no.2 being lady, so I am inclined to grant bail to the petitioner no.2.

Let the petitioner no.2, namely, Soni Devi @ Soniya Devi be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned I/c SDJM, Araria in connection with Raniganj P.S. Case No. 336 of 2023.

So far as petitioner no.1, namely Subodh Kumar



Sharma @ Subodh Sharma is concerned that in para-12 and 13 of the case diary, the witnesses have supported the case of the prosecution and the postmortem report also supports the case of the prosecution and he is the assailant of the deceased. Hence, the prayer for bail of petitioner no.1, namely, Subodh Kumar Sharma @ Subodh Sharma is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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