

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82990 of 2024

Arising Out of PS. Case No.-164 Year-2011 Thana- RANIGANJ District- Araria

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1. Meena Devi Wife of Ramanand sah Resident of Village- Chhatiyauna, P.S.- Raniganj, Distt.- Araria
 2. Santosh Sah Son of Late Laxman Sah Resident of Village- Chhatiyauna, P.S.- Raniganj, Distt.- Araria
 3. Raju Sah Son of Late Devi lal Sah Resident of Village- Chhatiyauna, P.S.- Raniganj, Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 10-07-2025 1. Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in
connection with Raniganj P.S. Case no.164 of 2011 registered
under sections 302 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states
that his paternal aunt (Bua) was taken away by Meena Devi
(petitioner no.1) on 25.07.2011 to his house but did not return. It
is further alleged that on 26.07.2011 informant saw accused
Santosh Sah (petitioner no. 2) and Raju Sah (petitioner no.3)
throwing the dead body of his paternal aunt in the backyard of



his house.

4. Learned counsel for the petitioners submits that it would be evident from the F.I.R itself that entire case has been lodged on suspicion. The allegation against Meena Devi (petitioner no.1) is only to the extent that the deceased had gone alongwith her a day prior to the occurrence. Besides this, no other material has come to connect the petitioner no.1 in the alleged offence. So far as petitioner nos.2 and 3 are concerned, there is specific allegation in the F.I.R that they were found throwing away the dead body of her paternal aunt in the backyard of informant's house. However, during course of investigation police submitted Final Form in favour of the petitioners but differing with the Final Form learned Magistrate took cognizance against them vide order dated 18.03.2018. Paragraph no.22 of the case diary has specifically been pointed out which contains the statement of witness who has stated that the informant himself had confessed before him that he had committed murder of his own paternal aunt. Further paragraph no. 31 of the case diary also indicates that there is a land dispute between the petitioners and the informant due to which the informant had a reason to falsely implicate them. The petitioners undertake to cooperate in the case/trial.



5. The application for anticipatory bail is opposed by learned A.P.P. for the State on the ground that there are specific allegations in the F.I.R and the post-mortem report would show that the death has been caused due to Asphyxia as a result of throttling.

6. Taking into consideration the fact that the allegation against petitioner no.1 remains confined to be one of being last seen along with the deceased in an unsuspicious manner and that too with no close proximity with the time of occurrence, I am inclined to grant anticipatory bail to petitioner no.1 (Meena Devi), who is a lady, in the event of her arrest or surrender before the learned Court below within a period of four weeks, in connection with Raniganj P.S. Case no.164 of 2011 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Araria, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

7. So far as petitioner nos. 2 and 3 are concerned, in view of the specific allegations in the F.I.R and cognizance having been taken against them in the year 2018 under Sections 302 and 34 of the I.P.C, I am not inclined to grant privilege of



anticipatory bail to petitioner nos. 2 and 3 and their application
is thus rejected.

8. In view the above, the application stands disposed
of.

(Soni Shrivastava, J)

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