

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85737 of 2024

Arising Out of PS. Case No.-77 Year-2023 Thana- SUIYA District- Banka

Bullet Rana @ Bullet Sharma, aged about 35 years, Male, Son of Raju Rana @ Rajendra Sharma, Resident of Village- Shasan, P.O.- Dudhari, P.S.- Banka, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 18-01-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Suiya P.S. Case No. 77 of 2023 instituted for the offences punishable under Sections 302 and 120(B) of the Indian Penal Code.

3. As per the prosecution case, all the family members including the petitioner committed murder of the informant's daughter by hanging her because there is illicit relation with another lady and he used to assault his wife Gayatri Devi.

4. Learned counsel for the petitioner submits that petitioner is innocent has committed no offence and has falsely been implicated in this case due to family dispute between the



parties. He further submits that the deceased husband developed relation with other lady and when a protest was made deceased was tortured and killed. He next submits that petitioner is the cousin brother-in-law of the deceased and the entire allegation is levelled against the husband. He lastly submits that postmortem was done and no external injury was found over the body of the deceased and caused of death is said to be hanging. Petitioner has got clean antecedent as stated in para 3 of the petition.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional District and Sessions Judge-Ist-cum-Special Judge S.C./S.T. (P.O.A.) Act, Banka dated 26.10.2024, it appears that on the basis of written report of the informant Nand Kishore Rana, FIR has been registered under Sections 302 and 120(B) of the Indian Penal Code against five accused persons including the present petitioner. It appears that the petitioner is the Maternal brother of the husband of the deceased. From perusal of the record, it also appears that after conclusion of the investigation petitioner is not sent up for trial and submitted final form against the petitioner and the learned Trial Court deferred with the opinion and took cognizance against offence and issue process against the petitioner. Similarly situated co-



accused persons namely Urmila Devi @ Sumitra Devi, Ghanshyam Rana and Pradeep Rana have been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 16003 of 2024 vide order dated 19.03.2024 respectively, so considering all these aspects let the petitioner above named in the event of his arrest or surrender before the Court below within six weeks from today, be released on bail upon furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1st, Banka in connection with Suiya P.S. Case No. 77 of 2023, subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Ramesh Chand Malviya, J)

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