

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23 of 2025

Arising Out of PS. Case No.-297 Year-2024 Thana- KATEYA District- Gopalganj

1. Ghureli Devi @ Gangajali Devi W/o Mahanth Kumhar @ Mahanth Prajapati R/o Village- Sukroali, P.S.- Kateya, Dist.- Gopalganj
2. Ravindra Kumbhar S/o Mahanth Kumhar @ Mahanth Prajapati R/o Village- Sukroali, P.S.- Kateya, Dist.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adesh Raj Singh, Adv.

For the Opposite Party/s : Md. Ataur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 09-04-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Kateya P.S. Case No. 297 of 2024, registered for the offences under Sections 103(1), 238(a) and 3(5) of the B.N.S.

3. As per the prosecution case, the informant received a phone call from her married daughter wherein she stated that her parents-in-law and other in-laws would kill her and later on the informant came to know that her daughter was killed. Informant further alleged that the husband of her daughter was also involved in the occurrence.



4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Petitioners are mother-in-law and husband of the deceased, respectively and they have no role in the death of the daughter of the informant. The marriage was solemnized more than eight years prior to the occurrence and in between there has been no demand of any dowry or any torture or any cruelty related to such demand. The present case has been lodged after three days of the occurrence and it shows the FIR has been lodged after due deliberation and afterthought. The petitioner's husband was abroad at the time of the occurrence and the copy of VISA annexed with the petition certifies this fact. The daughter of the informant was being treated at Gorakhpur and she died a natural death. Petitioner no. 1 is an old lady and she suffers from high blood pressure and liver problem. Learned counsel further submits that when the statement of the petitioner no. 1 was recorded by the police during investigation, she stated that she had gone outside for bringing some medicine and when she returned, she was told by her grandson that his mother was no more and thereafter they took away the dead body to the field and burned the dead body. Learned counsel further submits that during whole investigation



the police has not found any eye witness who might support the case of the prosecution. Learned counsel further submits that moreover the petitioners and the other side have come to some settlement and the case has been lodged due to some misunderstanding. Learned counsel further submits that charge sheet has been submitted. The petitioners are having clean antecedent and they are in custody since 03.08.2024 and 12.08.2024, respectively.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioners. Learned A.P.P. submits that the informant and other witnesses have supported the prosecution case against the petitioners. The daughter of the informant died in the house of the petitioners and they are required to show that the death was not unnatural.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the doubtful nature of allegation against the petitioners and further considering submission of charge sheet and period of custody of the petitioners, the petitioners are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Principal Sessions Judge,



Gopalganj/concerned court, in connection with Kateya P.S. Case No. 297 of 2024, subject to the condition laid down under Section 480(3) of B.N.S.S. 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.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Anuradha/-

U		T	
---	--	---	--

