

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25905 of 2019

Arising Out of PS. Case No.-12 Year-2019 Thana- BAKHARI District- Begusarai

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1. LAROWATI DEVI @ LUROWATI DEVI Wife of Upendra Paswan.
 2. Soni Kumari Daughter of Upendra Paswan, both Resident of Village-Bakhari, Ward No. 17, P.S. Bakhari, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 02-05-2019 Heard learned counsel for the petitioners and the
learned counsel appearing on behalf of the State.

Petitioners seek bail in connection with Bakhari P.S.
Case No. 12 of 2019 for offences punishable under Sections
341, 323, 326, 302, 34 of the Indian Penal Code.

The prosecution case as lodged by the informant is
that his son Sachin Kumar (deceased) was running an egg shop
and beside his shop, his agnate Upendra Paswan was also
running an egg shop. Due to some quarrel between them, the
petitioners along with co-accused Upendra Paswan and Gulshan
Kumar started assaulting his son. Thereafter co-accused
Upendra Paswan stabbed the son of the informant by means of
knife on chest on which he died on the spot.



It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal history, they are family members of the co-accused Upendra Paswan and they have been dragged in the aforesaid case. He submits that specific allegation is on Upendra Paswan of stabbing the informant's son and as per the postmortem report as contained in Annexure-2 of the supplementary affidavit only one injury has been found on the body of the deceased on the chest and the opinion is that death has occurred due to hemorrhage and shock as a result of the said injury caused by sharp weapon. He further submits that the petitioners are languishing in judicial custody since 17.01.2019 and that charge-sheet has already been submitted.

However, learned counsel for the State opposes the prayer for bail.

Considering the nature of allegations, materials on record and that charge-sheet has already been submitted coupled with the fact that the petitioners bear no criminal antecedent as stated in para-3 of the present application, let the petitioners above named be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate,



Begusarai in connection with Bakhari P.S. Case No. 12 of 2019,
subject to the condition that one of the bailors would be close
relative of the petitioners having sufficient immovable
properties, who will file an affidavit stating his relationship with
the petitioners.

(Nilu Agrawal, J)

devendra/priyanka

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