

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32511 of 2020

Arising Out of PS. Case No.-36 Year-2019 Thana- NTPC District- Patna

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1. SANJU DEVI W/o Nawal Prasad @ Nawal Mahto R/o village- Chak Nawada, P.S.- N.T.P.C., District- Patna
 2. Mausmi Kumari D/o Nawal Prasad @ Nawal Mahto R/o village- Chak Nawada, P.S.- N.T.P.C., District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Murlidhar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-12-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioners is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in a case instituted for the
offences under Sections 337, 338, 307, 302 and 34 of the
Indian Penal Code.



The prosecution case in short is that the accused persons assaulted the father of the informant due to which he received injury and later died during treatment.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 28.06.2020 and have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. Charge-sheet has been submitted in the present case. The petitioners are not named in the F.I.R. The names of the petitioners have transpired in course of investigation. The allegation against the petitioners is of brick batting. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in the present case. The F.I.R. has been instituted after a delay of 11 days. The delay has not been explained by the prosecution. Other co-accused has been granted bail vide Annexure-2 to the present application by a coordinate Bench of this Court.

On behalf of the State, it is submitted that the petitioners are not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction



of learned Judicial Magistrate, Barh, Patna in connection with
N.T.P.C. P.S. Case No. 36/19.

(Sudhir Singh, J)

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