

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61360 of 2019

Arising Out of PS. Case No.-139 Year-2019 Thana- BELA District- Sitamarhi

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1. Sahdev Rai son of Deo Sharan Rai
 2. Mahadev Rai, son of Deo Sharan Rai
 3. Fekan Rai son of Mahadeo Rai

All residents of village-Maliyabadi P.S. Bela, District-Sitamarhi

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 03-03-2020 Heard the parties.

The petitioners seek bail in Bela P.S. Case No.139 of 2019 registered for the offence punishable under Sections 302, 201, 120(B)/34 of the Indian Penal Code.

Prosecution case is that petitioner no.1 is father-in-law of the deceased, petitioner no.2 is brother of petitioner no.1 and petitioner no.3 is cousin brother of the husband of the deceased. The allegation against the petitioners is killing the daughter of the informant and her dead body was thrown in a lonely place. It is alleged that accused Bimlesh Rai in order to grab the land of share of Kamlesh Rai (husband of the deceased) calling him as insane mind and on protest accused persons have murdered.



Submission of learned counsel for the petitioners is that the main allegation is against accused Bimlesh Rai (dever of the deceased. Further submission is that there is general and omnibus allegation against the petitioners. However, learned Addl. Public Prosecutor has opposed the prayer for bail. It is submitted that the postmortem report discloses that the cause of death was due to asphyxia.

Considering the submissions as made above, petitioners nos.2 and 3, named above, be enlarged on bail on furnishing bail bond of Rs.25,000/-(twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Sadar Sitamarhi in connection with Bela P.S. Case No.139 of 2019.

So far as petitioner no.1, namely, Sahdev Rai is concerned, considering the allegation I am not inclined to enlarge him on bail at this stage. However, it is observed that if the trial is not concluded within six months, the petitioner may renew his prayer for bail.

(Vinod Kumar Sinha, J)

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