

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66795 of 2019

Arising Out of PS. Case No.-42 Year-2019 Thana- VIDYAPATINAGAR District- Samastipur

1. PREMSHILA DEVI W/o Budhan Ray R/o village- Rasalpur, P.S.- Vidyapatti Nagar, District- Samastipur
2. Budhan Ray S/o Rajendra Ray R/o village- Rasalpur, P.S.- Vidyapatti Nagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Zeyaul Hoda

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-01-2020 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with S.T. No. 425 of 2019 arising out of Vidyapati Nagar P.S. Case No. 42 of 2019, registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

The allegation is regarding the petitioners having killed the deceased victim lady, who is the sister of the informant, namely, Ganesh Rai, on account of certain domestic disputes.

The learned counsel for the petitioners has submitted that the petitioners are innocent and they are the



sister-in-law and brother-in-law of the deceased victim lady. It is submitted that on account of certain misunderstanding, the petitioners were falsely implicated by the informant, which would be borne out from the fact that during the course of the trial, the informant, namely, Ganesh Rai has been examined as PW-1 and in his deposition in paragraph no. 10, he has stated that his sister was cutting vegetables and she had fallen down resulting in cutting of her nose whereupon she had succumbed to her injuries. It is thus submitted that even the informant has not alleged in his statement made before the learned trial court that the petitioners are responsible for the death of the deceased victim lady. Lastly, it is submitted that the petitioners are having a clean antecedent and they are languishing in custody since 10.4.2019 and 17.6.2019 respectively. The learned counsel on behalf of the petitioners submits that the petitioners undertake to be present before the learned trial court on each and every date so fixed in the ongoing trial.

Having regard to the facts and circumstances of the case and particularly considering the evidence adduced by the informant as PW-1 in the ongoing trial, I deem it fit and proper to direct for release of the petitioners on regular bail.



Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge, Dalsingsarai (Samastipur) in connection with S.T. No. 425 of 2019 arising out of Vidyapati Nagar P.S. Case No. 42 of 2019.

It is further directed that the petitioners shall be present on each and every date so fixed by the learned trial court in the ongoing trial and in default of their appearance on two consecutive occasions, the privilege of bail being granted to them shall stand cancelled automatically.

(Mohit Kumar Shah, J)

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