

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16571 of 2021

Arising Out of PS. Case No.-458 Year-2020 Thana- SUPAUL District- Supaul

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1. RAM LAKHAN MUKHIYA Son of Late Musharu Mukhiya Resident of Village - Chakla Nirmali, Ward No.27, P.s. and Distt.- Supaul.
 2. Asha Devi W/o Ram Lakhan Mukhiya Resident of Village - Chakla Nirmali, Ward No.27, P.s. and Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 22-11-2021 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that in the night she had slept at her uncle's place. The next morning on returning home she found her mother and father had been killed by setting the house on fire. The bodies were taken to the hospital for postmortem. The informant states that she is convinced that her uncle and aunt, the two petitioners herein entered into a conspiracy along with others and committed the murder as a result of land dispute.



It is submitted by learned counsel for the petitioners that from perusal of the FIR itself it would transpire that there is no eye-witness to the occurrence. An unsubstantiated suspicion has been raised by the informant against the two petitioners because of their relationship and pending land dispute. No material has transpired in course of investigation to connect the two petitioners with the alleged crime. The petitioners are in custody since 2.7.2020 and have no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the material that has transpired in course of investigation and the petitioners having remained in custody for over 1 year, the Court directs the above two petitioners to be enlarged on bail in connection with Supaul P.S. Case no. 458 of 2020 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul.

(Partha Sarthy, J)

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