

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28905 of 2021

Arising Out of PS. Case No.-459 Year-2020 Thana- KUDHNI District- Muzaffarpur

1. RUPAN MAJHI @ NIRANJAN MAJHI Son of Late Bhulan Majhi Resident of Village - Damodarpur Dumri, P.S.- Kurhani, District - Muzaffarpur
2. Smt. Kaushaleya Devi Wife of Rupan Majhi Resident of Village - Damodarpur Dumri, P.S.- Kurhani, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-12-2021

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, the three named accused persons are stated to have assaulted the husband of the informant with a lathi, danda, box etc. The husband of the informant was admitted to the hospital and subsequently died in course of treatment.

It is submitted by learned counsel for the petitioners that the petitioner no. 1 happens to be the full brother of the husband of the informant while the petitioner no. 2 happens to be the wife of petitioner no. 1. A minor altercation had taken place amongst the family members over a trivial dispute. It was



after the husband of the informant succumbing to some injuries that the instant FIR was registered after a delay of two days. The postmortem report which has been brought on record as Annexure 2 to the petition does not support the allegations made in the FIR in so far only one bruise injury has been found on the body of the deceased. The petitioners are in custody since 25.7.2020 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, the submissions made on behalf of the petitioners and the two petitioners having remained in custody for 1 year 4 months, the Court directs the above two petitioners to be enlarged on bail in connection with Kurhani P.S. Case no. 459 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 Sub-Judge I-cum-Additional Chief Judicial Magistrate 1st, West, Muzaffarpur.

(Partha Sarthy, J)

Prakash/-

U			
---	--	--	--

