

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4484 of 2021

Arising Out of PS. Case No.-46 Year-2020 Thana- BUNIYAD GANJ District- Gaya

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1. Rashmi Devi @ Rita Devi W/O Pratap Prasad @ Vijay Prasad
 2. Suraj Kumar S/O Pratap Prasad @ Vijay Prasad
 3. Munna Kumar S/O Pratap Prasad @ Vijay Prasad
- All are resident of Village-Shekhhabigha, P.S.-Buniyadganj and District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 09-08-2021 Heard learned counsel for the parties through video conferencing.

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 allegations in the F.I.R., the informant found the throat of his uncle to have been split with a sharp weapon. It is stated that he died on way to the hospital. He further states that he is convinced that his brother Pratap Prasad along with his wife and two sons, with the intention of usurping his immovable property, have a hand in his killing.

It is submitted by learned counsel for the petitioners



that the allegations as levelled in the F.I.R. are false and concocted. The informant and Pratap Prasad happen to be full brothers while the deceased was their uncle. It is further submitted that the petitioners herein happen to be the wife and two sons of Pratap Prasad. The said Pratap Prasad has been enlarged on bail vide order dated 8.4.2021 passed in Cr. Misc. no.40671 of 2020. The petitioners are in custody since 27.7.2020 and have no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including grant of bail to co-accused Pratap Prasad and the petitioners having remained in custody for over 1 year, the Court directs the petitioners to be enlarged on bail in connection with Buniyadganj P.S. Case no.46 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate VIII, Gaya.

(Partha Sarthy, J)

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