

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5467 of 2022

Arising Out of PS. Case No.-368 Year-2018 Thana- ARARIA District- Araria

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1. SUBODH RAM S/o Late Banarsi Ram R/o Village- Bangama, P.s.- Araria, District- Araria.
 2. Soni Devi W/o Subodh Ram R/o Village- Bangama, P.s.- Araria, District- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-09-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

Prosecution's case in short is that co-accused Bechan Ram had a quarrel with his wife Punam Devi. Thereafter, all the accused persons including the petitioner assaulted the victim with fists and slaps causing her death.

Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The post mortem report falsifies the



allegation as no mark of any external and internal injury was found. Post mortem report has further opined that deceased died due to lungs' disease. Police after investigation submitted final form against the accused persons but differing with the same court below took cognizance of the offence. Petitioners have got no criminal antecedent.

Considering the nature of allegation against the petitioners, in the event of arrest/surrender within six weeks from today, let the petitioners, named above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate Araria in Araria Police Station Case No. 368 of 2018, subject to the conditions laid down under sections 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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