

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5935 of 2022

Arising Out of PS. Case No.-486 Year-2021 Thana- NARPATGANJ District- Araria

1. Narendra Mishra @ Narendra Kumar Mishra
2. Dhirendra Mishra @ Dhirendra Kumar Mishra

Both sons of Sobha Kant Mishra R/o village- Arraha Nirmalli, P.S.-
Pratapganj, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Advocate
For the Opposite Party/s : Mr.Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 13-06-2022 Heard learned counsel for the petitioners and learned APP
for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioners seek bail in connection with Narpatganj P.S. Case No. 486 of 2021 registered for the alleged offence under Sections 304(B), 201 and 34 of the Indian Penal Code.

The prosecution case is that the petitioners along with other accused persons tortured and treated the sister of the informant with cruelty and assaulted her, as a result of which,



she died and her dead body was cremated.

It has been submitted by the learned counsel for the petitioners that the petitioners are maternal uncles (Mama) of the husband of the deceased and have been living separately and have got no concern with the matrimonial relationship of the deceased and her husband. There are general and omnibus allegations against the petitioners, which are uncorroborated. The similarly placed co-accused Akhilesh Mishra has been granted privilege of anticipatory bail by a coordinate Bench of this Court vide order dated 28.04.2022 passed in Cr. Misc. No.17990 of 2022 and another co-accused Nirmal Kumar Jha has also been granted bail by this Court vide order dated 09.06.2022 passed in Cr. Misc. No.5387 of 2022 and the petitioners are in custody since 17.11.2021.

Learned APP has opposed the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that the petitioners are maternal uncles (Mama) of husband of the deceased and the allegations are general and omnibus against the petitioners, let the petitioners above named be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Araria in connection with Narpatganj P.S. Case
No.486 of 2021, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be cancelled by the court concerned.

V.K.Pandey/-

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(Arun Kumar Jha, J)

