

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7191 of 2022

Arising Out of PS. Case No.-212 Year-2021 Thana- MOTIPUR District- Muzaffarpur

1. BALESHWAR SAH S/o Sathu Sah R/o Village Mahwal, P.S. - Motipur, Dist. Muzaffarpur.
2. Jalu Sah S/o Sathu Sah R/o Village Mahwal, P.S. - Motipur, Dist. Muzaffarpur.
3. Dilip Kumar S/o Muntun Sah R/o Village Mahwal, P.S. - Motipur, Dist. Muzaffarpur.
4. Chakchaniya Devi W/o Muntun Sah R/o Village Mahwal, P.S. - Motipur, Dist. Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Adv

For the Opposite Party/s : Mrs. Veena Rani Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-08-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehends their arrest in a case registered for the offence punishable under section 302/34 of I.P.C.



Allegedly, the petitioners along with other co-accused persons killed the husband of the informant and threw his dead body in a pond.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case at the instance of their enemies. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. The name of petitioners transpired in the present case only because they are the family members of the co-accused. The co-accused namely Muntun Sah is already in judicial custody. There is no eye witness to support the prosecution case. Petitioners have no criminal antecedent, which is also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is no eye witness to support the prosecution case, let the above named petitioners be released on bail, in the event of her arrest or surrender before the learned court below within a period of six weeks from today, on furnishing



bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand)
each with two sureties of the like amount each to the
satisfaction of the learned court below where the case is
pending/Successor Court in Motipur P.S. Case No. 212 of
2021, subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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