

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9670 of 2022

Arising Out of PS. Case No.-656 Year-2021 Thana- BIHTA District- Patna

1. SUNITA DEVI W/O LATE MANOJ KUMAR Resident of Village - Bedauli, P.s.- Bihata, Distt.- Patna.
2. Kumari Sandhya W/o Promod Kumar Resident of Village - Bedauli, P.s.- Bihata, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 22593 of 2022

Arising Out of PS. Case No.-656 Year-2021 Thana- BIHTA District- Patna

SUDARSHAN VERMA S/o Ram Prakash Verma Resident of Village-
Datiyana, P.S.- Bikram, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 9670 of 2022)

For the Petitioner/s : Mr. Sanjay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

(In CRIMINAL MISCELLANEOUS No. 22593 of 2022)

For the Petitioner/s : Ms. Usha Kumari Singh, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 19-12-2022 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 302, 120B and 34 of the Indian Penal Code and section 27 of the Arms Act.



As per the prosecution case, the informant states that on receiving information that firing was taking place at the place of occurrence, he proceeded towards the same and identified four persons running away from the place of occurrence with pistol in their hand. It is submitted that on reaching the place of occurrence he found that his two brothers Rahul Kumar Singh and Pradeep Kumar Singh had been shot and on inquiry was told that Ajit Kumar Singh had been taken to the hospital. The cause of occurrence is said to be land dispute with the accused persons including Sunita Devi, Kumari Sandhya and Chhotu.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case because of land dispute which would be evident from the FIR itself. Further admittedly, the informant is not an eye witness to the alleged occurrence. Neither does he give the source of his information nor does he makes any specific allegation against the petitioners herein. No overt act has been alleged against the petitioners in the FIR. It is further submitted that in course of investigation coaccused Ravindra Kumar Singh took the name of Sudarshan Verma and Ranu Verma. Ranu Verma has been enlarged on bail by order dated 27.9.2022 passed in Sessions



Trial no.98 of 2022 by the learned Additional Sessions Judge- VI, Danapur, Patna. The petitioners Sunita Devi and Kumari Sandhya are in custody since 18.9.2021 while Sudarshan Verma is in custody since 19.1.2022. Chargesheet has been submitted in the case.

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

Having heard learned counsel for the parties and taking into consideration that no overt act has been alleged against the petitioners in the FIR, the petitioners being in custody since 18.9.2021, 18.9.2021 and 19.1.2022 respectively together with grant of bail to coaccused Ranu Verma and investigation in the case having been completed, the Court directs all the three the petitioners to be enlarged on bail in connection with Bihta P.S. Case no. 656 of 2021 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 ACJM Danapur (Patna).

(Partha Sarthy, J)

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