

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16523 of 2022

Arising Out of PS. Case No.-349 Year-2021 Thana- TARAIYA District- Saran

1. MAHESH RAM S/o Ramayan Ram Resident of Village- Dih Chhapiya, P.S.- Taraiya, District- Saran at Chapra.
2. KISHUN RAM S/o Mahesh Ram Resident of Village- Dih Chhapiya, P.S.- Taraiya, District- Saran at Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Radha Mohan Singh
For the Opposite Party/s	:	Mr. Tarun Prasad Mandal
For the Informant/s	:	Mr. Anjali Parasan Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 25-08-2022 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

The petitioners have preferred this application for grant of regular bail in a case registered u/s 341 and 302 read with 34 of the Indian Penal Code.

As per the prosecution case, it is alleged that the petitioners and the co-accused person in connivance with one another strangled the informant's husband to death and threw his dead body in the river. Earlier, the deceased was taken from



his house by the petitioner No.1 Mahesh Ram.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Charge-sheet has already been submitted against the petitioners. The petitioners are accused in one more criminal case as stated in para 3 of the bail petition. It is further submitted that as per the post-mortem report, there is no external mark of injury on the body of the deceased and cause of death of the deceased is Asphyxia due to drowning. The petitioners are in custody since 26.10.2021.

Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioners by submitting that the post-mortem report suggests that nasal and mouth bleeding was present on the body of the deceased.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- I, Saran at Chapra in connection with Taraiya P.S. Case No. 349 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

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