

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23802 of 2022

Arising Out of PS. Case No.-662 Year-2021 Thana- NAUBATPUR District- Patna

1. MADHURI DEVI W/o Ravinder Paswan Resident of Mohalla- Taregna Dih, Masaurhi, P.S.- Masaurhi, District- Patna (Bihar)
2. SUDHA KUMARI D/o Ravinder Paswan Resident of Mohalla- Taregna Dih, Masaurhi, P.S.- Masaurhi, District- Patna (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Archana Sinha @ Archana Shahi
For the Opposite Party/s	:	Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-08-2022 Heard learned counsel appearing on behalf of the petitioners and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioners seek bail in connection with Naubatpur P.S. Case No. 662 of 2021 registered for the offence under Sections 302/120(B)/436/427/34 of the Indian Penal Code.

The accused/petitioners are named in the F.I.R. and are in custody since 16.12.2021.

The allegation against the petitioners is to commit murder of relative of informant, namely, Shanti Devi and Amrendra Kumar by putting them on fire along with other co-ac-



cused persons/family members.

Learned counsel appearing on behalf of the petitioners submitted that from bare perusal of FIR no allegation appears against both of the petitioners. It is also submitted that entire allegation is based upon suspicion and nothing surfaced during course of the investigation, which may connect both of the petitioners, *prima-facie*, with the aforesaid occurrence. It is also submitted that a petition on behalf of informant was filed before learned ACJM-III, Danapur, which is the part of the present bail petition as Annexure -2, stating thereof that informant put his thumb impression on plain paper, without naming any person. It is also submitted that petitioners are man of clean antecedent. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that allegation is based upon suspicion, as per FIR.

Considering the facts and circumstances as mentioned above, as allegation is based upon suspicion, where, nothing incriminating surfaced during course of investigation to connect



both the above-named petitioners, *prima-facie*, with the present set of occurrence, who are lady of clean antecedent coupled with the fact that charge-sheet has already been submitted in this case, let both the petitioners, above named, are directed to be released on bail in connection with Naubatpur P.S. Case No. 662 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-III, Danapur, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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