

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43012 of 2021

Arising Out of PS. Case No.-195 Year-2020 Thana- CHARPOKHARI District- Bhojpur

1. SURESH SAH @ DIGRI SAH Son of Late Yugul Sah Resident of Village - Kaiyal, P.S.- Charpokhari, District - Bhojpur.
2. Dharambir Sah Son of Suresh Sah @ Digri Sah Resident of Village - Kaiyal, P.S.- Charpokhari, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Adv.

For the Opposite Party/s : Ms..Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-01-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioners and the learned APP for the State, Ms. Gulnar Begum.

The petitioners seek regular bail in connection with Charpokhari P.S. Case No. 195/2020, registered for the offence punishable under Sections 304(B) and 201/34 of the Indian Penal Code.



The accused persons are alleged to have killed the deceased victim lady on account of non-fulfillment of the demand for a motorcycle.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case, they are having clean antecedent and they are languishing in custody since 30.1.2021. The learned counsel for the petitioners has further submitted that a general and omnibus allegation has been levelled against the petitioners, who are the father-in-law and brother-in-law of the deceased victim lady and the main accused i.e. the husband of the deceased victim lady is languishing in custody since 28.7.2021.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the materials available on record as also considering the fact



that a general and omnibus allegation has been levelled against the petitioners, who are having a clean antecedent and moreover, the main accused i.e. the husband of the deceased victim lady is already in custody, I deem it fit and proper to admit the petitioners to the privilege of regular bail, subject to the learned court below verifying as to whether the husband of the deceased victim lady is in custody or not.

Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-I, Bhojpur, Ara in connection with Charpokhari P.S. Case No. 195 of 2020, subject to the verification of the aforesaid fact as to whether the husband of the deceased victim lady is custody or not.

(Mohit Kumar Shah, J)

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