

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44671 of 2021

Arising Out of PS. Case No.-178 Year-2019 Thana- MADHEPUR District- Madhubani

1. Shiv Kumar Kamat Son Of Kusum Lal Kamat R/O Village- Tardiha, Presently Residing At Village- Kurso, P.S.- Madhepur, District- Madhubani
2. Kundan Kamat @ Kundan Kumar Kamat Son Of Late Rameshwar Kamat R/O Village- Kurso, P.S.- Madhepur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Kumari Shubham, Advocate

For the Opposite Party/s : Mr.Umesh Lal Verma, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-01-2022 Heard learned counsel for the petitioners and the State.

Petitioners seek regular bail in registered for the offences punishable under section 302 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, these petitioners and other accused persons caused death of the brother of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Petitioner no.1 is own brother of the deceased and petitioner no.2 is Maushera brother of the deceased. In fact



informant's brother committed suicide for which UD case had also been lodged by petitioner no.1. Petitioners claim clean antecedent. They are in custody since 19.11.2020 and 28.10.2020 respectively.

Learned counsel for the State opposes the prayer for bail and submits that there is specific allegation that these petitioners have caused death of the brother of the informant and in order to shield themselves, UD case was lodged by petitioner no.1. In the post mortem report, several injuries have been found on the body of the deceased and the death was caused due to traumatic shock and head injury caused by hard and blunt substances.

Considering the nature of accusation and the gravity of allegation, prayer for bail of the petitioners is refused.

(Prabhat Kumar Singh, J)

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