

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37784 of 2022

Arising Out of PS. Case No.-105 Year-2022 Thana- BIRAUL District- Darbhanga

1. SAKUR NADAF Son of Late Razzo Nadaf Resident of Village - Saho, P.S.- Biraul, District - Darbhanga.
2. Sabo Khatoon Wife of Sakur Nadaf Resident of Village - Saho, P.S.- Biraul, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 18-10-2022 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 and learned A.P.P for the State.

The petitioners have preferred this application for grant of regular bail in a case registered u/s 326 and 302 read with 34 of the Indian Penal Code.

As per the prosecution case, the co-accused had stolen the mobile of the informant's father-in-law. When the informant and her husband went to the co-accused and the petitioners' house, the petitioners and the co-accused persons started



abusing and also threatened the informant of dire consequences. Later on, the informant has claimed that the petitioners and the other co-accused persons committed murder of the informant's father-in-law using sharp-edged weapons while the deceased and the informant's husband were sleeping. On hearing the sound of groaning the informant's husband woke up and saw in the light of the bulb that the petitioners and the other co-accused persons were fleeing away from the place of occurrence and also found the informant's father-in-law drenched in blood who died due to injuries.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case on account of previous theft of mobile. Nothing has been recovered from the conscious possession of the petitioners. There is no eye-witness in this case as nobody has seen the petitioners committing murder. There is general and omnibus allegation against the petitioners. The petitioner No. 1 is the husband of the petitioner No. 2. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 29.03.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.



Considering the aforesaid facts and circumstances of the case, the petitioners above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Darbhanga in connection with Biraul P.S. Case No. 105 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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