

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45804 of 2021

Arising Out of PS. Case No.-436 Year-2020 Thana- HARSIDHI District- East Champaran

1. Baskit Ram Son of Surya Ram Resident of Village- Fulwariya, P.S.- Kalyanpur, District- East Champaran.
2. Nisha Kumari Wife of Late Pankaj Ram Resident of Village- Fulwariya, P.S.- Kalyanpur, District- East Champaran.
3. Jailal Ram Son of Late Kapil Ram Resident of Village- Fulwariya, P.S.- Kalyanpur, District- East Champaran.
4. Vikash Ram Son of Baskit Ram Resident of Village- Fulwariya, P.S.- Kalyanpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 11-07-2022 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in Harsidhi P.S. Case No. 436 of 2020, registered for the offences punishable under Section 302/34 of the Indian Penal Code.

Prosecution case in brief is that petitioner and three unknown persons killed the son of informant and threw the dead body in pond.

It is submitted that petitioners have been falsely implicated in this case. Petitioner no. 1 is father-in-law, petitioner no. 3 is cousin brother-in-law, petitioner no. 4 is



brother-in-law and petitioner no. 2 is none else than wife of the deceased. No motive has been assigned in the FIR. In fact, the deceased was of unsound mind and he always used to run away from his house so he might have been drown in the pond at the time of attack of insanity. Moreover, there is inordinate delay in lodging of the FIR, informant's son was traceless since 06.10.2020, dead body was found on 12.10.2020, but the FIR was lodged on 13.10.2020 without any plausible explanation. There is no eye-witness of the occurrence. Petitioners have got clean antecedents.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Harsidhi P.S. Case No. 436 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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