

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50978 of 2021

Arising Out of PS. Case No.-38 Year-2020 Thana- GAIGHAT District- Muzaffarpur

1. LALIT RAI Son of Chalaki Rai Resident of Village- Baidyanathpur Piperpatiya, P.S.- Piar, District- Muzaffarpur.
2. Santosh Rai Son of Satahu Rai @ Chhathu Rai Resident of Village- Maithi, P.S.- Gaighat, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 16-05-2022 Heard both sides.

Petitioners seek regular bail in connection with Gaighat PS Case No. 38 / 2020 registered for the offence punishable under Sections 328 / 302 / 34 of the IPC.

As per the prosecution story the F.I.R. was lodged on 29-01-2020 alleging therein that on 27/ 01/2020 petitioner no. 2 / Santosh Rai along with one Laxman Rai arrived at the door of the informant to enquire about her son – Sanjeev Kumar and took him along with them saying that his brother-in-law and others are calling them near gas agency. It has further been alleged that accused persons named in the F.I.R. administered



poison to the informant's son and he was found lying near the gas agency and was admitted in hospital and subsequently he died on 28-01-2020.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case on the basis of concocted story inasmuch as the deceased wanted that his sister should stay in her matrimonial home along with his brother-in-law but she was residing in her parental home along with the deceased which was not to the liking of the deceased. Therefore, out of frustration and depression he committed suicide. He next submits that F.I.R. was lodged on 29.01.2020 after the post mortem was held on 28-01-2020 and funeral also took place on the same date. Petitioners are in custody since 24/01/2021.

Regard being had to the submissions made by the parties, taking into consideration the fact that present F.I.R. has been lodged after preparation of inquest report and post mortem, as such, I am inclined to grant regular bail to the petitioners.

Let the petitioners above named be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 15th , Muzaffarpur in connection



with Gaighat PS Case No. 38 / 2020.

(Anil Kumar Sinha, J)

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