

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57683 of 2021

Arising Out of PS. Case No.-97 Year-2018 Thana- DARBHANGA District- Darbhanga

1. Ram Prasad Kharga, Son of Late Narayan Kharga @ Narendra Kharga, Resident of Village - Basantganj, Shivajee Nagar Ward No.22, P.S.-Town, Distt.- Darbhanga.
2. Rabindra Kharga, Son of Ram Prasad Kharga, Resident of Village - Basantganj, Shivajee Nagar Ward No.22, P.S.-Town, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-03-2022 Heard Mr. Vinay Kumar Mishra, learned counsel for the petitioners and Mr. Nawal Kishore Prasad, learned APP for the State.

Let the defect(s), if any, be removed within a period of four weeks after complete start of the physical Court.

The petitioners seek bail in connection with Darbhanga (Town) P.S. Case No. 97 of 2018 registered under Sections 341, 323, 504, 506, 307, 498A/34, 302, 304B and 120B of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are in custody since 14.06.2021, are persons with clean antecedent and the petitioner no.1 is father-in-law and



petitioner no.2 is brother-in-law of the deceased.

Learned counsel submits that the informant alleges that on 11.05.2018 while the informant was at her matrimonial home the petitioners along with husband and mother-in-law poured K. Oil and set her ablaze and fled from the spot, on screen neighbours came and informed the informant's mother. It is further alleged that before this occurrence also, the accused persons had threatened to kill the deceased.

Learned counsel submits that the petitioners have been falsely implicated in the present case, the husband was acquitted by the learned court below by its judgment dated 20.01.2021 in S.T. No. 73 of 2019. Learned counsel submits that the petitioners are even separate in mess and property from the husband of the deceased. Learned counsel submits that since the husband of the deceased has been acquitted by the learned court below, as such petitioners may be released on bail.

The learned APP opposes the bail application.

Considering the fact that the petitioners are in custody, charge-sheet has been submitted and are persons with clean antecedent and the husband of the deceased stands acquitted by the learned trial court and the petitioner no.1 being an old man, the petitioners, named above, are directed to be



released 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 Chief Judicial Magistrate, Darbhanga. in connection with Darbhanga (Town) P.S. Case No. 97 of 2018.

(Satyavrat Verma, J)

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