

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54371 of 2021

Arising Out of PS. Case No.-72 Year-2021 Thana- PIPRAHI District- Sheohar

1. Kamal Thakur Son Of Rambalak Thakur @ Bhaglu Thakur R/O Village-Singahi Inarwa Tole Madhopur Piprahi, P.S.- Piprahi, District- Sheohar
2. Rambalak Thakur @ Bhaglu Thakur Son Of Santosh Thakur R/O Village-Singahi Inarwa Tole Madhopur Piprahi, P.S.- Piprahi, District- Sheohar

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Uday Kumar, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-01-2022 Heard learned counsel for the petitioners and the State.

Petitioners pray for grant of regular bail in a case registered for the offence punishable under sections 302/307/34 and other ancillary sections of the Indian Penal Code.

Petitioner no.2 is alleged to have stabbed the victim who died during course of treatment.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Parties are covillagers and there is general and omnibus allegation against petitioner no.1 and no no specific overt act has been alleged against him. Petitioners have claimed clean antecedent and they are in custody since 5.6.2021 and 29.3.2021 respectively. Charge sheet has already been submitted.

Learned counsel appearing for the State opposes the prayer for bail. He submits that there is direct allegation that



petitioner no.2 stabbed the victim who died during course of treatment.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner no.1 is allowed. Let the petitioner no.1, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge Sheohar in Sessions Trial No. 78 of 2021/Piprahi Police Station Case No. 72 of 2021.

Considering the nature of accusation against petitioner no.2, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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