

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47538 of 2022

Arising Out of PS. Case No.-2 Year-2022 Thana- BUNIYAD GANJ District- Gaya

1. Mintu Devi @ Chinta Devi W/O Anil Vinayak @ Anil Sharma, Resident of Village- Joda Masjid, (Bara Inara), P.S.- Buniyadganj, District- Gaya.
2. Muskan Kumari @ Khushbu Kumar @ Avriti Bharti D/O Anil Vinayak @ Anil Sharma, Resident of Village- Joda Masjid, (Bara Inara), P.S.- Buniyadganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sudhir Kumar Sinha, Adv.
For the Opposite Party/s	:	Mr. Syed Ehteshamuddin, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-11-2022 Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek regular bail in connection with Buniyadganj P.S. Case No. 02 of 2022, lodged under Sections 147, 148, 149, 302 and 201 of the Indian Penal Code.

As per prosecution case, the informant has disclosed that she received an information 15 days earlier that a four wheeler car was standing at her house, upon oppose the said car was not removed, thereafter, a quarrel took place in the night. When informant returned from Patna to Gaya then she received

information that her husband was attacked by 5 named accused persons with *lathi*, *danda* and rod and they killed her husband and taken the dead body from the house.

Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. He further submits that both the petitioners are female and they are named in the F.I.R. but from the content of F.I.R. itself, it transpires that this F.I.R. has been lodged on hearsay evidence and there is no material against the petitioners. He also submits that there is no chance of absconding of the petitioners who are female. Learned counsel for the petitioners further submits that antecedent of the petitioners are clean and they are in custody since 08.01.2022

Learned A.P.P. for the State opposes the prayer for bail.

Learned counsel for the informant appeared and vehemently opposes the prayer for bail and submits that in the order passed by the Sessions Court, it has come that these two petitioners were seen in C.C.T.V. footage cleaning the blood of the deceased.

In response thereof, learned counsel for the petitioners submits that there is no detail of C.C.T.V. nor there is mention

that whose blood it was.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioners, therefore, their bail application is hereby **rejected**.

Trial Court is directed to release the petitioners on bail after framing of charge.

(Dr. Anshuman, J.)

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