

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51437 of 2021

Arising Out of PS. Case No.-56 Year-2020 Thana- BATH District- Bhagalpur

1. SHYAM SUNDER KUMAR DAS @ SHYAM SUNDER KUMAR Son of Jamun Das Resident of Village - Kumaitha, Das Tola, P.S.- Bath, District - Bhagalpur
2. Diwakar Das @ Diwakar Kumar Son of Ganga Das Resident of Village - Kumaitha, Das Tola, P.S.- Bath, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 58675 of 2021

Arising Out of PS. Case No.-56 Year-2020 Thana- BATH District- Bhagalpur

MANTU DAS S/o Ganga Das R/o village- Kumaitha, Das Tola, P.S.- Bath, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 51437 of 2021)

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

(In CRIMINAL MISCELLANEOUS No. 58675 of 2021)

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioners have preferred this application for grant of regular bail in a case registered under section 302 of the Indian Penal Code.



As per the prosecution case, it is stated that thinking that the husband of the informant was abusing the members of the family of the accused, the eleven named accused persons including the three petitioners herein beat him up. The husband of the informant died subsequently. This information was given by the brother-in-law (devar) of the informant to her.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. Even as per the allegations in the FIR the allegations are general and omnibus in nature. The same are not supported from the contents of the postmortem report (Annexure 2). The petitioners in Cr. Misc. no. 51437 of 2021 are in custody since 27.3.2021 and the petitioner in Cr. Misc. no. 58675 of 2021 is in custody since 3.6.2021. Charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the material on record together with the investigation in the case having concluded, the Court directs the above three petitioners to be enlarged on bail in connection with Bath P.S. Case no. 56 of 2020 on each of them furnishing bail bond of Rs.10,000/-



(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned A.C.J.M-XIII, Bhagalpur.

(Partha Sarthy, J)

Prakash/-

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