

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63402 of 2021

Arising Out of PS. Case No.-155 Year-2020 Thana- SIMRI District- Darbhanga

1. KAMOD RAM Son of Fakira Ram Resident of Village- Gaura, P.O.- Bharathi and P.S.- Simri, District- Darbhanga, Pin 847428.
2. KABUTRI DEVI W/o Kamod Ram Resident of Village- Gaura, P.O. Bharathi, P.S.- Simri, District- Darbhanga, Pin- 847428

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-08-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Simri P.S. Case no. 155 of 2020 instituted for the offence punishable under Section 302 and 34 of the Indian Penal Code.

It is a case of committing murder of the informant's mother by pressing her neck by the petitioners.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. In fact, deceased died natural death due the ailment of heart. Postmortem report as well as opinion of the doctor has not supported the prosecution version. From perusal of para 30 of the case diary, it appears that independent witness Mahesh



Ram asserted that deceased died due to heart disease. In para-8 of the petition, learned counsel for the petitioners has submitted that named petitioners are innocent and they have implicated in this case due to ill motive and in this regard informant had also filed a petition before Sub-Divisional Police Officer, Darbhanga.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Simri P.S. Case no. 155 of 2020, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Darbhanga subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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