

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.54345 of 2022**

Arising Out of PS. Case No.-622 Year-2021 Thana- FORBESGANJ District- Araria

1. Bharat Das S/o Laxmi Das Resident of Village- Tiraskund, P.O.- Tiraskund, P.S.- Forbesganj, District- Araria.
2. Bhikhari Das S/o Late Laxmi Das Resident of Village- Tiraskund, P.O. Tiraskund, P.S.- Forbesganj, District- Araria.
3. Ganeshi Das S/o Late Laxmi Das Resident of Village- Tiraskund, P.O.- Tiraskund, P.S.- Forbesganj, District- Araria.

... .. petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the petitioners : Mr. Sanjay Kumar Sharma, Advocate
For the Opposite Party : Mr. Pranav Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-12-2022 Learned counsel for the petitioners undertakes to remove all the defects as pointed out by the Stamp Reporter within three weeks.

Heard learned counsel for the petitioners and Mr. Aditya Narayan Singh, learned A.P.P. for the State.

These three petitioners, in the present case, are seeking regular bail in connection with Forbesganj P.S. Case No. 622 of 2021 registered for the offences under Section 302/201/120(B)/34 of the Indian Penal Code They are in custody since 16.07.2022 having no criminal antecedent.

As per the prosecution story, the informant has alleged that his daughter was married to one Tuntun Das and



was blessed with three children but said Tuntun Das started having illicit relationship with another lady, thereafter a lot of domestic dispute took place. He further alleged that said Tuntun Das demand a sum of Rs. 2,00,000/- for construction of his house. He further alleged that his daughter was beaten to death by his son-in-law Tuntun Das and others and he was informed on phone that she is extremely unwell. Thereafter he along with his son reached at the matrimonial house of his daughter and found that they were burning the dead body of his daughter.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Learned counsel submits that these three petitioners are said to be the elder brother of the husband of the deceased who are living separately in mess and business.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Having regard to the facts and circumstances of the case wherein these three petitioners are said to be the elder brother of the husband of the deceased who are living separately in mess and business, they have no criminal antecedent and have remained in custody in connection with this case since 16th July, 2022, investigation against them is complete and their



presence may be secured in course of trial, therefore, this Court directs release of the petitioners above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 622 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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