

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67688 of 2021

Arising Out of PS. Case No.-377 Year-2019 Thana- WAJIRGANJ District- Gaya

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1. MUSAFIR RAJBANSHI Son of Devraj Ranbanshi @ Douraj Rajbanshi Resident of Village - Patuhala, Police Station - Wazirganj, District - Gaya.
 2. Kanchan Devi Wife of Musafir Rajbanshi Resident of Village - Patuhala, Police Station - Wazirganj, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Satyendra Prasad Singh, Advocate
For the Informant	:	Mr.Nand Kishore Prasad Singh, Advocate
For the Opposite Party/s	:	Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-04-2022 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

The petitioners seek bail in a case registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are in custody since 06.09.2021, are persons with clean antecedent, charge-sheet has been submitted in the case and petitioner no.2 is a women.

Learned counsel for the petitioners submits that the informant alleges that on account of dispute relating to partition, the petitioners along with other accused assaulted her husband



and informant and the husband died during the course of treatment.

Learned counsel for the petitioners submits that from the F.I.R. itself it would transpire that the petitioner no.1 and the informant's husband are brothers, the manner of occurrence has not been narrated correctly in the F.I.R., further there is a delay of seven days in instituting the F.I.R. for which there is no plausible explanation. It is further submitted that similarly situated co-accused Birju Rajvanshi has been granted bail vide order dated 07.07.2021 passed in Cr. Misc. No. 6747 of 2021.

Learned A.P.P. for the State and learned counsel for the informant oppose the bail application of the petitioner but are not in a position to meet the submission of the learned counsel for the petitioners that similarly situated co-accused has been granted bail.

Considering the fact that the petitioners are in custody since 06.09.2021, charge-sheet has been submitted in the case, the petitioners are persons with clean antecedent, petitioner no.2 is a women and co-accused has been granted bail, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned



court below where the case is pending/successor court in
connection with Wazirganj P.S. Case No. 377 of 2019.

(Satyavrat Verma, J)

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