

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71860 of 2021

Arising Out of PS. Case No.-20 Year-2021 Thana- ANDHRATHARHI District- Madhubani

1. Sumitra Devi, W/O Ramphal Mahto, Resident of Village - Shiva Rampur, P.S.- Andhratharhi, Distt.- Madhubani.
2. Ramphal Mahto, Son of Late Feku Mahto, Resident of Village - Shiva Rampur, P.S.- Andhratharhi, Distt.- Madhubani.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Birendra Sharma, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-05-2022 Learned counsel for the petitioners undertakes to remove all the defects as pointed out by office within two weeks after start of normal functioning of the Court.

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

Petitioners in the present case are seeking regular bail in connection with Andhrathari P.S. Case No. 20 of 2021(G.R. No. 353 of 2021) registered for the offences punishable under Sections 304 B/34 of the Indian Penal Code. They are in custody since 03.03.2021 The petitioners have got no criminal antecedent.

Learned counsel for the petitioners submits that as per the prosecution story, the allegation against the petitioners is of killing the sister of the informant by pressing her neck.



Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Learned counsel submits that there is no specific allegation against these petitioners in the FIR and they claim living separately in mess and business from the family of the deceased. It is submitted that the petitioners have no criminal antecedent and they are in custody in connection with this case since 03.03.2021.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioners.

Having regard to the submission that the marriage between the deceased and the son of these petitioners were of the year 2009 and they had got two children out of the said wedlock, there is no specific allegation against these petitioners in the FIR and they claim living separately in mess and business from the family of the deceased and further that the petitioners have remained in judicial custody since 03.03.2021, investigation against them is complete but the trial is not likely to be concluded in near future as informed to this Court, this Court directs that the petitioners above named be released 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 A.C.J.M, 2nd Jhanjharpur,
District- Madhubani, in connection with Andhrathari P.S. Case
No. 20 of 2021 , subject to the condition as laid down under
Section 437 (3) Cr.P.C.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

