

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6634 of 2023

Arising Out of PS. Case No.-820 Year-2022 Thana- FATUA District- Patna

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1. Rupa Kumari @ Nirupa Devi Wife Of Sri Sanoj Kumar R/V- Bikramapur, P.S.- Fatuha, District- Patna, Bihar
 2. Minta Devi @ Sanju Devi Wife Of Sri Manoj Kumar R/V- Bikramapur, P.S.- Fatuha, District- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Kant Kumar
For the Opposite Party/s : Ms.Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-04-2023 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant.

The petitioners have prayed for grant of bail in connection with Fatuha P.S. Case No. 820 of 2022 registered under sections 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution case relates to commission of murder of the informant's father by opening fire by the co-accused persons including these petitioners.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They



have falsely been implicated in this case. It is further submitted that there is no specific overt act of making fire against the petitioners rather general and omnibus allegations have been levelled against the petitioners. It is also submitted from para 18, 19 and 20 of the case diary in which the witness stated that co-accused Manoj Kumar made firing upon the deceased due to which he sustained gun shot injury and later on he died on the way. Nothing consistent material came against the petitioners. A statement has been made in para-3 of this petition that they have got no criminal antecedent. Moreover, they are languishing in judicial custody since 10.11.2022.

The application for bail is opposed by learned APP for the State and learned counsel for the informant.

Having heard learned counsel for the parties and considering the facts and circumstances of this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Fatuha P.S. Case No. 820 of 2022 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 Additional



Chief Judicial Magistrate 1st at Patna City, District- Patna.

(Sunil Kumar Panwar, J)

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