

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5562 of 2022

Arising Out of PS. Case No.-13 Year-2021 Thana- NARDIGANJ District- Nawada

1. PUNAM DEVI W/o Sanjay Ravidas R/o village- Koshala, P.S.- Nardiganj, District- Nawada
2. SHANTI DEVI W/o Sahdev Ravidas @ Sahdev Das R/o village- Barail, P.S.- Akbarpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma, Advocate

For the Opposite Party/s : Ms.Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 03-01-2023 Heard the learned counsel for the petitioners and
the learned APP for the State.

The petitioners seek regular bail in connection with Nardiganj PS case no. 13 of 2021 instituted for the offences punishable under Sections 302, 201/34 of the Indian Penal Code.

The allegation is regarding the petitioners herein having thrown the daughter of the informant in a well, resulting in her death, after quarrel had taken place amongst them on 19.01.2021 at about 2 O'clock in the afternoon.

The learned counsel for the petitioners submits that the petitioners are innocent, have been falsely implicated in



the present case, are having clean antecedent and are languishing in custody since 12.08.2021. It is further submitted that there is no eye-witness to the alleged occurrence and the petitioners have been falsely implicated in the present case, merely on account of there being animosity between the families of the informant and the petitioners. It is also submitted that the petitioners are languishing in custody since more than one year and there is no chance of the trial being completed in the near future.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail and has submitted, by referring to the case diary that the witnesses have stated that the victim girl was seen with the petitioners, however, she has not been able to show from the material available on record that the petitioners had actually thrown the girl in the well.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the materials available in the case diary, this Court finds that the present case is a case of circumstantial evidence, there is no eye-witness to the alleged occurrence and the trial is going on, hence, considering the



period of incarceration, I deem it fit and appropriate to enlarge the petitioners on bail.

Accordingly, the abovenamed petitioners are directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st class, Nawada in connection with Nardiganj PS case no. 13 of 2021.

(Mohit Kumar Shah, J)

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