

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8774 of 2023

Arising Out of PS. Case No.-112 Year-2019 Thana- BATHNAHA District- Sitamarhi

1. Ravi Kumar Son Of Rohit Singh Resident Of Village- Koili, P.S.- Bathnaha, District- Sitamarhi
2. Ved Prakash @ Baidhanath Kumar @ Baidhnath Kumar Son Of Rohit Singh Resident Of Village- Koili, P.S.- Bathnaha, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parwej Khan

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-05-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are languishing in custody in a case registered for the offences punishable under Sections 147, 148, 323, 307, 380, 448, 504, 506 of the Indian Penal Code. Later on, Section 302 I.P.C was also added.

It is alleged against all the F.I.R named accused persons including the petitioners that they entered into the house of the informant and started abusing and when wife of the informant made protest, co-accused Jai



Nath Kumar caused injury on the head of the wife of the informant by means of iron rod. It is alleged against petitioner No. 1 that thereafter he assaulted with lathi to the wife of the informant whereas it is alleged against petitioner No. 2 that he entered into the house of the informant and took away cash of Rs. 15,000/- and other household articles. The wife of the informant subsequently succumbed to the injuries.

It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in this case due to previous dispute. The occurrence took place on 19.05.2019 whereas the wife of the informant died in the hospital on 21.05.2019 and the postmortem of the deceased reflects the cause of death due to head injury which has specifically been alleged co-accused Jainath Kumar, not petitioners and according to the postmortem report, no internal or external injury was found on the body of the deceased. The charge-sheet has already been submitted



against the petitioners. The son of the informant who is one of the prosecution witness has not supported the prosecution case. The petitioners are languishing in custody since 02.09.2022. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the facts aforesaid and the period under custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Sitamarhi in connection with Bathnaha P.S. Case No. 112 of 2019.

(Sunil Kumar Panwar, J)

Shageer/-

U		T	
---	--	---	--

