

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10814 of 2023

Arising Out of PS. Case No.-227 Year-2022 Thana- PIRPAINTI District- Bhagalpur

1. RAJ KUMAR SHARMA Son of Late Sundar Sharma Resident of Village-
Mohanpur Tilakdhari Tola, P.S.- Bakharpur O.P., District- Bhagalpur
2. LAKHAN KUMAR Son of Raj Kumar Sharma Resident of Village-
Mohanpur Tilakdhari Tola, P.S.- Bakharpur O.P., District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for regular bail in a case
instituted for the offence under Sections 302 and 34 of the
Indian Penal Code and Sections 3/4 of the Prevention of Witch
(Daain) Act.

The allegation against the petitioners and others is of
killing the wife of the informant. It is further alleged in early
morning fight took place, in which cow of petitioner no. 1
expired and the accused levelled allegation against his wife that



she is a Daain.

It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. There are no consistent evidence and no eye-witness of the alleged occurrence to show these petitioners have involved in the said crime. The confessional statement of co-accused Gautam Sharma, who confessed about the guilt that he assaulted to the deceased by means of *farsa* and on his disclosure a Hasua (sharp cutting weapon) recovered from the house of him. On the basis of suspicion, these petitioners have implicated in the present case. Petitioners have got no criminal antecedent as stated in para-3 of the bail petition. They are languishing in judicial custody since 19.07.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned



Chief Judicial Magistrate, Bhagalpur in connection with
Pirpainti P.S. Case No. 227 of 2022.

(Sunil Kumar Panwar, J)

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