

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8514 of 2023**

Arising Out of PS. Case No.-51 Year-2021 Thana- BALIA BELON District- Katihar

1. Lakhi Devi @ Lakkhi Devi D/O Late Nidhi Rai, W/O Late Raj Kumar Rai R/V- Sheikhpura, P.S.- Balia Belon, District- Katihar
2. Tinku Rai Son Of Late Nidhi Rai R/V- Sheikhpura, P.S.- Balia Belon, District- Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Md. Helal Ahmad

For the Opposite Party/s : Mr.Asha Devi

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      13-04-2023                      Heard learned counsel for the petitioners and learned APP for the State.

The petitioners has prayed for regular bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code.

As per prosecution case, the informant alleged that he came to know that his nephew Raj Kumar Rai, who was quarreling with his wife, has died. When he visited the house of in-laws of the deceased, he saw the ligature mark on his neck. He has such alleged that the accused persons including the petitioners have killed his nephew.

Learned counsel for the petitioners submits that the



petitioners are innocent and have committed no offence. Petitioner no.1 is wife and petitioner no.2 is brother-in-law of the deceased due to which they have falsely been implicated in this case. There is no eye witness of the alleged occurrence and no any consistent evidence has come against the petitioners to show their involvement in this alleged offence. The entire prosecution hinges around merely on suspicion. Moreover, similarly situated several co-accused persons have already been granted bail by different co-ordinate Benches of this Court and in support of this Annexure-2 series has been annexed with this petition. It is further submitted that the petitioners have got clean antecedents and languishing in judicial custody since 24.5.2021.

Learned APP appearing for the state has opposed the prayer of regular bail.

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 released on bail in connection with Sessions trial no. 326 of 2021 arising out of Baliya Belon P.S. Case No. 51 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like



amount each to the satisfaction of learned Additional Sessions  
Judge-II, Katihar.

(Sunil Kumar Panwar, J)

Amandeep/-

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