

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12632 of 2023

Arising Out of PS. Case No.-68 Year-2022 Thana- SANOKHAR District- Bhagalpur

1. MUKESH SAH @ MUKESH KUMAR SAH S/O PRAKASH SAH @ JAY PRAKASH SAH Resident of Village- Madarganj, P.O.- Madarganj, P.S.- Sanokhar (Amdanda), District- Bhagalpur.
2. NISHA KUMARI W/O MUKESH SAH @ MUKESH KUMAR SAH Resident of Village- Madarganj, P.O.- Madarganj, P.S.- Sanokhar (Amdanda), District- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar, Adv.
For the Opposite Party/s : Mr.Pranav Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-04-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

Allegedly, petitioner along with other accused persons killed her daughter by pressing the neck of the informant's daughter.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioner no.1 is brother-in-law and petitioner no.2 is sister-in-law of the



deceased. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners have been living separately from the deceased since long time. They had no role in the alleged occurrence. He further submits that the husband of the deceased has surrendered before the learned Court below on 16.04.2022. Petitioner no.1 has one criminal antecedent, whereas petitioner no.2 has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, there is no specific overt act, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Sanokhar (Amdanda) P.S. Case No. 68 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

However, the learned Court below is directed to verify the fact whether the husband of the deceased has surrendered



or not and if it is found that he has not surrendered yet, the bail bond of the petitioners will not be accepted by the learned Court below.

(Anjani Kumar Sharan, J)

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