

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15224 of 2022

Arising Out of PS. Case No.-179 Year-2021 Thana- KARJA District- Muzaffarpur

1. Mahendra Ram Son Of Late Santu Ram Resident Of Village- Makdumpur (Kodria), P.S.- Karja, District- Muzaffarpur, Bihar.
2. Sugia Devi W/O Mahendra Ram Resident Of Village- Makdumpur (Kodria), P.S.- Karja, District- Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-01-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application for grant of regular bail in a case registered for the offences punishable under Section 302/34 of the Indian Penal Code.

The prosecution case in nutshell is that petitioner No. 1 has borrowed one lakh rupees from the husband of the informant with assurance that he would repay the same within six months. It is further alleged that petitioners told the husband of the informant to



come at their residence to take the said amount. In the next morning informant came to know that her husband has been murdered and altercation between petitioners and her husband had taken place in the night.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. They have falsely been implicated in the present case. It is also submitted that petitioners are languishing in judicial custody since 29.08.2021. It is also submitted that except oral evidence of lending money there is no documentary evidence against the petitioner No. 1 that he has taken money from the deceased. There is no eye witness of the commission of murder of the deceased. From the perusal of the postmortem report it appears that there is no external and internal injury over the body of the deceased. It is further submitted that petitioners are old persons. It is also submitted that cause of death has not been asserted. A statement has been made in para 3 of



the petition that petitioners have no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration 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 in connection with Karja P.S. Case No. 179 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM Vth, Muzaffarpur, Bihar.

(Sunil Kumar Panwar, J)

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