

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24262 of 2022

Arising Out of PS. Case No.-495 Year-2018 Thana- CHAPRA MUFFASIL District- Saran

1. ARBIND BHARTI Son of Late Uma Bharti Resident of Village - Raja Chapra, P.S.- Chapra Mufassil, Distt.- Saran.
2. Urmila Kuer W/o Not Mention Resident of Village - Raja Chapra, P.S.- Chapra Mufassil, Distt.- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

4 16-01-2023 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code.

As per the prosecution case, the informant states that she was informed on telephone about her son having been killed by the accused persons including the two petitioners herein. It is stated that the cause of the said occurrence is that the informant's husband Rameshwar Bharti had illicit relations with



Urmila Kuer and her daughter-in-law has illicit relations with son of Uma Bharti.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. Admittedly the informant is not an eye witness to the occurrence. No incriminating article has transpired in course of investigation to connect the petitioners with the alleged crime. The FIR named co-accused Rameshwar Bharti has been enlarged on bail vide order dated 28.2.2020 passed in Cr. Misc. no. 7253 of 2020. The petitioners are in custody since 9.9.2021 and have no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the material that has transpired in course of investigation, grant of bail to the above co-accused Rameshwar Bharti, the petitioners being in custody for more than 1 year 4 months since 9.9.2021 and chargesheet having been submitted in the case, the petitioners are directed to be enlarged on bail in connection with Chapra Muffasil P.S. Case no. 495 of 2018 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 4th Addl. Sessions



Judge, Saran at Chapra.

(Partha Sarthy, J)

Spd/-

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