

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34574 of 2023

Arising Out of PS. Case No.-186 Year-2022 Thana- KHODAWANDPUR District- Begusarai

1. Chamcham Devi Wife of Ashok Kha @ Ashok Khan Resident of village - Matihani, ward no. 18, P.S. - Khodwandpur, Distt. - Begusarai
2. Ashok Kha @ Ashok Khan Son of Bhuneshwar Kha @ Bhuvneshwar Kha @ Bhuvneshwar Khan Resident of village - Matihani, ward no. 18, P.S. - Khodwandpur, Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 22-08-2023 Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 302, 201, 34 of the Indian Penal Code.

3. Allegation against petitioners is that they alongwith other co-accused persons, in order to grab the property, committed murder of informant's mother by administering her poison and tried to cremate the dead-body in absence of her sole daughter (informant).

4. It is submitted on behalf of petitioners that informant is not eye-witness to the occurrence and only on suspicion, petitioners have been made accused. Petitioner no. 1



is uncle and petitioner no. 2 is aunt of informant. During course of investigation, it has come that the deceased herself consumed poison and thereafter, jumped in the water. As a matter of fact, these petitioners and other villagers tried to save her life by bringing her to the clinic of a specialized doctor. No poison like substance has been detected in the F.S.L. report. Petitioners have got clean antecedent.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Manjhaul, District – Begusarai in connection with Khodawandpur P.S. Case No. 186 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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