

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36802 of 2023

Arising Out of PS. Case No.-88 Year-2021 Thana- VIDYAPATINAGAR District- Samastipur

1. Akhilesh Kumar Ram Son Of Vijay Ram @ Vijay Lal Ram Resident Of Village Bochaha (Incorrectly Mentioned At Some Places As Bin Bochha), Ps- Mohiuddin Nagar, Distt- Samastipur
2. Devi Lal Ram @ Devanand Ram Son Of Vijay Ram @ Vijay Lal Ram Resident Of Village Bochaha (incorrectly Mentioned At Some Places As Bin Bochha), Ps- Mohiuddin Nagar, Distt- Samastipur
3. Birendra Ram @ Birendra Kumar Ram Son Of Bhola Ram Resident Of Village Bochaha (incorrectly Mentioned At Some Places As Bin Bochha), Ps- Mohiuddin Nagar, Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suneil Kumar Thakur

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-08-2023 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. As per F.I.R., some unknown persons killed the daughter of the informant by pressing her neck and threw the dead body in Sothgama chaur.

4. Name of the petitioners transpired in this case during trial on the basis of deposition of some of the prosecution witnesses. As per F.I.R., dead-body was recovered from Sothgama chaur by the Vidyapati Police Station and on information, the informant went there and identified the dead



body of his daughter. None of witnesses including the informant is eye-witness of the occurrence and on suspicion after lapse of more than a year, petitioners have been made accused in this case. There is material contradiction in the prosecution case, as alleged in F.I.R., and deposition of witnesses. Petitioner no. 1 & 2 have got clean antecedent, whereas, petitioner no. 3 has got one criminal antecedent, in which, he is on bail.

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 Additional Sessions Judge, Dalsingsarai, Samastipur in connection with Vidyapatnagar P.S. Case No. 88 of 2021 (corresponding to S.T. No. 425 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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