

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41166 of 2023

Arising Out of PS. Case No.-168 Year-2014 Thana- MASHRAK District- Saran

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1. Bablu Singh S/O Parmeshwar Singh R/O Village- Chandbarwan, P.O. Bahrauli, Ps. Mashrakh, Dist. Saran At Chapra
 2. Sanju Singh S/O Late Rameshwar Singh R/O Village- Chandbarwan, P.O. Bahrauli, Ps. Mashrakh, Dist. Saran At Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan

For the Opposite Party/s : Mr. Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 05-12-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for bail in a case registered for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code.

3. As per allegation in the FIR, one Manoj Singh along with five persons including the petitioners took her husband by way of tempoo on the pretext of participating in a birthday party but her husband did not return. The informant went to enquire about her husband from Manoj Singh who disclosed that he did not know where about of her husband. She further alleged that she heard sound of groaning of her husband



and when she opened the door of house of Manoj Singh her husband was found laying injured inside the house of Manoj Singh. Thereafter she raised alarm then villagers came and took her husband to hospital but on way to hospital he died.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case merely on the basis of suspicion. There is no no specific overt act against these petitioners. During course of investigation, it has transpired at para no. 32, 33 and 36 of the case diary, witnesses who examined u/s 161 of the Cr.P.C. disclosed that deceased who was the husband of the informant fell down from the Auto Riksha and got injuries and lastly, he has died. The other co-accused namely, Manoj Singh has already been granted bail by another co-ordinate Bench of this Court vide order dated 13.11.2020 passed in Cr. Misc. No. 29069 of 2020. Petitioners are languishing in judicial custody since 01.03.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as



period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Saran at Chapra in connection with Mashrakh P.S. Case No.168 of 2014.

(Sunil Kumar Panwar, J)

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