

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41600 of 2022**

Arising Out of PS. Case No.-413 Year-2021 Thana- JAGDISHPUR District- Bhagalpur

1. Rakesh Kumar @ Gajadhar Mandal Son Of Late Suresh Roy @ Suro Roy
Resident Of Radhi Tola Lane, Barari P.S- Barari, Dist- Bhagalpur
2. Chanda Devi @ Chuniya Devi Wife of Rakesh Kumar @ Gajadhar Mandal
Resident of Radhi Tola Lane, Barari P.S- Barari, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madan Mohan
For the Opposite Party/s : Mr.Bharat Bhushan

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 13-02-2023 Heard learned counsel for the petitioners and

learned A.P.P appearing on behalf of the State.

The petitioners are languishing in custody in a

case registered for the offences punishable under

Sections 302, 120(B)/34 of the Indian Penal Code.

It is alleged by the informant that the

petitioners being brother-in-law (Sarhu) and sister-in-

law(Sali) of the son of the informant have killed the son

of the informant.



It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in this case. The name of the petitioners sprang up only on the basis of suspicion. There is no eye witness to the occurrence. During investigation also, no material has come against the petitioners. Though an independent witness Bajrangi Yadav has claimed to be the eye witness but the 164 Cr.P.C statement of the said witness and the postmortem report of the victim does not corroborate with each other. The petitioner is languishing in custody since 18.01.2022. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the facts aforesaid and the period under custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Bhagalpur in connection with Jagdishpur P.S.
Case No. 413 of 2021.

(Sunil Kumar Panwar, J)

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