

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45063 of 2023

Arising Out of PS. Case No.-68 Year-2022 Thana- KAJRA District- Lakhisarai

1. MANTU SAW Son of Late Brihspati Saw Resident of Village - Urain, Police Station - Kajra, District - Lakhisarai.
2. Futki Kumari Wife of Mantu Saw Resident of Village - Urain, Police Station - Kajra, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 11-10-2023 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioner has prayed for bail in a case instituted for the offence under Sections 302,34 of the Indian Penal Code.

As per allegation in the FIR, dispute arose between petitioner and informant for distribution of pension amount of their father. It is further alleged that father refused to give money then accused petitioners assaulted the deceased with iron rod, lathi and danda as a result of which he received injuries on his head, chest and face and during treatment he died.



It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. Both the petitioners are son and daughter-in-law of the deceased and they cannot kill their own father. In fact, informant has himself killed father and made accused to his real brother and sister-in-law (petitioner and his wife). Due to sudden provocation the alleged occurrence took place, so no case u/s 302 IPC has been made out against the petitioners. Petitioner no. 2 is pregnant lady and without any fault on her part, she has been made accused. Only on the basis of suspicion, their names have been dragged in the present case. Petitioners have got no criminal antecedent and languishing in judicial custody since 4.6.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 SDJM, Lakhisarai in connection with Kajra PS Case No. 68 of 2022.

(Sunil Kumar Panwar, J)

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