

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48362 of 2023**

Arising Out of PS. Case No.-48 Year-2023 Thana- PARBATTa District- Bhagalpur

1. PUNAM DEVI WIFE OF DIWAKAR YADAV RESIDENT OF VILLAGE- JAGATPUR, P.S.- PARBATTa, DISTRICT- BHAGALPUR
2. DIWAKAR YADAV SON OF LATE JAIHINDAR YADAV RESIDENT OF VILLAGE- JAGATPUR, P.S. PARBATTa, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 08-08-2023 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners have preferred this application for grant of regular bail in connection with Parbatta P.S Case No. 48 of 2023 dated 10.03.2023 registered for the offence punishable u/s 302, 120B, 201 read with Section 34 of the Indian Penal Code.

4. As per the prosecution story, the brother of the informant went to the house of the petitioners to clear his dues but he went missing. Later, his dead body was found near the



banana field.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case due to previous enmity. The charge-sheet has already been submitted. Nothing has been recovered from the possession of the petitioners. The petitioner No. 1 is a lady. There is no eye witness to the occurrence. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 13.03.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Naugachia, Bhagalpur, in connection with Parbatta P.S. Case No. 48 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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