

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47104 of 2022

Arising Out of PS. Case No.-239 Year-2022 Thana- PAROO District- Muzaffarpur

1. Munna Mallik Son Of Late Chunni Mallik R/O Village- Rampur Kesho @ Malahi, P.S.- Paroo, District- Muzaffarpur
2. Tuntun Mallik Son Of Late Chunni Mallik R/O Village- Rampur Kesho @ Malahi, P.S.- Paroo, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.II, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-01-2023 Heard learned counsel for the petitioners, learned APP for the State and perused the case diary.

The petitioners are in custody in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

Allegedly, it is a case of commission of murder of brother of the informant, namely, Ramchandra Malik by the petitioners.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. He further submits that prior to the present case, a panchayati was held between the husband of the informant and the petitioners on 18.06.2020 and 10.09.2020 in which Rs. 52,000/- fine has been awarded upon the husband of the informant regarding the theft and selling the pig of the petitioners by the son of the informant and when the brother of the informant died



in unavoidable circumstance, she got golden opportunity to implicate the petitioners in the present case after making a false and concocted story. Petitioners are in custody since 28.05.2022.

Learned APP appearing for the State has vehemently opposed the prayer for regular bail of the petitioners and submitted that the petitioners are named in the FIR and there is direct allegation of assault upon the deceased by the petitioners due to which deceased succumbed to injury. During investigation, all the witnesses including the postmortem report supported the case of the prosecution as the postmortem report shows that the cause of death is due to haemorrhage and shock on account of the injury caused by hard and blunt objects.

After considering the facts and circumstances of the case, I am not inclined to grant regular bail to the petitioners.

Prayer for regular bail of the petitioners is, hereby, rejected.

However, the trial Court is directed to conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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