

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50857 of 2022

Arising Out of PS. Case No.-148 Year-2022 Thana- MUFFASIL District- West Champaran

1. DHIRAJ KUMAR S/o Surendra BIn R/o village - Ranipakari, Dhurauwa Tola, Ward No. 13, P.S.- Muffasil Bettiah, District - West Champaran.
2. RAJESHWAR KUMAR S/o Kari Mukhiya R/o village - Ranipakari, Dhurauwa Tola, Ward No. 13, P.S.- Muffasil Bettiah, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bimlesh Kumar Pandey, Advocate
		Mr.Krishna Kant Pandey, Advocate
For the Opposite Party/s	:	Mr.Anil Kumar Singh-1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 15-02-2023 Heard learned counsel appearing on behalf of the
petitioners and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioners seek bail in connection with Bettiah
Muffasil P.S. Case No. 148 of 2022 registered for the offence
under Sections 341, 323, 324, 307 and 34 of the Indian Penal
Code.

The accused/petitioners are named in the F.I.R. and
both are in custody since 02.06.2022

The allegation against the petitioners is to commit
murder of husband of the informant, along with other co-



accused persons, by causing head injury due to dispute arises out of money transaction of Rs. 3000/-, which was advanced as a loan.

Learned counsel appearing on behalf of the petitioners submitted that allegation as regard to fatal assault is available against co-accused, namely, Surendra Bin, as per FIR, who has been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 35368 of 2022 vide order dated 01.02.2023. It is submitted that nature of allegation as regard to assault is very much general and omnibus against these petitioners and with same set of allegation, co-accused namely, Rajkishore Bin, has been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 53507 of 2022 vide order dated 14.02.2023. While concluding the argument, it is submitted that petitioners are men of clean antecedent and, moreover, investigation in this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that allegation as regard to fatal assault is available against co-accused, Surendra Bin, as per FIR.

Considering the facts and circumstances as mentioned



above and by taking note of the nature of allegation, where specific allegation to cause fatal assault is available against co-accused Surendra Bin coupled with the fact that charge-sheet has already been submitted, let both the petitioners, above named, are directed to be released on bail in connection with Bettiah Muffasil P.S. Case No. 148 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran/concerned court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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