

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54716 of 2022

Arising Out of PS. Case No.-135 Year-2020 Thana- BHARGAMA District- Araria

1. ANIL MEHTA @ ANIL KUMAR S/o Shivanand Mehta Resident of Village- Sukaila, Pachiyari Tola, P.S.- Bhargama, Distt- Araria.
2. Sunil Mehta S/o Shivanand Mehta Resident of Village- Sukaila, Pachiyari Tola, P.S.- Bhargama, Distt- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Anil Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

6 22-03-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

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

Petitioners seek regular bail in connection with Bhargama P.S. Case No. 135 of 2020 registered for the offence punishable under Section 302 of the Indian Penal Code.

As per the prosecution, the informant alleged that his wife was murdered by some unknown miscreants, when she had gone to cut grass from his field and the dead body of the



informant's wife was found lying near the boundary of the field of Khelawan Mehta and Ram Krishna Mehta.

The main submissions advanced by petitioners' counsel are that the FIR was registered against unknown persons and during investigation the names of both the petitioners surfaced in the restatement of the informant, who is a relative of the petitioners and all the witnesses examined during investigation merely raised suspicion against the petitioners regarding their involvement in the alleged crime but any of them did not claim to have seen the petitioners committing the murder of the victim and the prosecution's case is based on circumstantial evidence and both the petitioners have been languishing in jail since 29.07.2022 and they have fair and clean antecedent and they suo moto surrendered before the trial Court and against them, the investigation has been completed.

Learned APP appearing for the State has opposed the bail prayer.

Considering the above submissions and mainly the facts that the FIR of the instant matter was registered against unknown persons and during investigation, the material witnesses merely raised suspicion against the petitioners and as per the case diary, there is no any direct evidence to connect the



petitioners to the alleged crime and also taking into account the
petitioners' custody period, in my opinion it is a fit case for bail
to the petitioners. Accordingly, let both the petitioners named-
above be enlarged on bail on furnishing bail bonds of
Rs.10,000/-(Ten Thousand) each with two sureties of the like
amount each to the satisfaction of the Court concerned in
connection with Bhargama P.S. Case No. 135 of 2020.

(Shailendra Singh, J)

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