

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55888 of 2023

Arising Out of PS. Case No.-137 Year-2023 Thana- GAIGHAT District- Muzaffarpur

1. Rani Devi W/O Lalan Mandal R/O Village- Kanta, P.S- Gaighat (Benibad Op), Distt.- Muzaffarpur.
2. Rohit Mandal @ Rohit Kumar S/O Lalan Mandal R/O Village- Kanta, P.S- Gaighat (Benibad Op), Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajiv Kumar
For the Opposite Party/s	:	Mr.Jitendra Kumar Singh
For the O.P.2	:	Mr. Ranjit Kr. Thakur

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 31-08-2023 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

2. The petitioners seek regular bail in connection with Gaighat P.S. Case No. 137 of 2023 registered for the offence under Sections 302, 120B/34 of the Indian Penal Code.

3. As per prosecution case, the petitioners are alleged to have indulged in hatching conspiracy to kill the informant's son in connivance with others co-accused persons and threw the body of the deceased in river.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case on the basis of hearsay



statement. No one eye witness of the alleged occurrence. During course of investigation, no any consistent material has come against the petitioner. The entire prosecution hinges around merely on suspicion. They have got no criminal antecedent as stated in para-3 of the bail petition. It is further submitted that the petitioner nos 1 & 2 are languishing in judicial custody since 5.4.2023 & 6.4.2023 respectively.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Gaighat P.S. Case No. 137 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Court No.2, Muzaffarpur (East).

(Sunil Kumar Panwar, J)

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