

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61330 of 2022

Arising Out of PS. Case No.-70 Year-2012 Thana- PAROO District- Muzaffarpur

1. Chalitra Rai S/O Late Budha Rai Resident Of Village- Chochahi, P.S.- Paroo, District- Muzaffarpur.
2. Anandi Rai S/O Chalitra Rai Resident Of Village- Chochahi, P.S.- Paroo, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 21-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

As per allegation in the FIR, on 02.05.2012 the informant got an information on her mobile from Ezal Rai that the condition of her daughter Bibha Devi is serious whereupon she went with others to the matrimonial house of her daughter and she found that dead body of her daughter is lying in the *aangan*. The informant asked from the mother-in-law of her daughter then it was informed that petitioners and two others



entered in the house of the deceased and throttled her due to which she died.

It is submitted by learned counsel for the petitioners that the petitioner are innocent and have committed no offence. They have falsely been implicated in the present case due to land dispute. The informant is not an eye witness of the alleged occurrence. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent. It is also submitted vide para 3 and 4 of the supplementary affidavit that however, same allegation has been made against all accused persons including the petitioners, co-accused Lal Babu Rai & Dilip Kumar were not sent up for trial and final form was submitted against them by the I.O and these petitioners were sent for trial. Other co-accused namely, Ram Babu Rai upon whom similar allegation has been made, was already enlarged on bail by another coordinate Bench of this Court vide order dated 12.09.2022 passed in Cr. Misc. No. 17781 of 2022. It is further submitted that petitioners are languishing in judicial custody since 08.10.2020.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and



taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Paroo P.S. Case No.70 of 2012 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned XIIth Additional District & Sessions Judge, Muzaffarpur.

(Sunil Kumar Panwar, J)

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