

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67839 of 2023

Arising Out of PS. Case No.-226 Year-2022 Thana- BALRAMPUR District- Katihar

1. Khiro Devi Wife Of Pawan Bosak Resident Of Village-Malikpur, Ps-Balrampur, Dist - Katihar
2. Shobhi Devi Wife Of Sukh Dev @ Sukhdev Bosak Resident Of Village-Malikpur, Ps- Balrampur, Dist - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr. Manjar Alam, Adv. Mr. Mazher Alam, Adv.
For the Opposite Party/s :		Mr.Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-11-2023 Heard senior learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

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

3. Petitioners are said to have committed murder of the son of the informant by pressing his neck.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that the petitioner no. 2 is mother-in-law and petitioner no. 1 is sister-in-law of the deceased. He submits that there is no specific overt act against the petitioners. He submits that after submission of final form by the I.O. of the



case under Section 306/34 IPC, the learned court below took cognizance under Section 302/34 of the IPC against the petitioners. He submits that the deceased was suffering mental problem and has committed suicide by hanging himself at the house of the petitioners. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Balrampur P.S. Case No. 226 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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