

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73880 of 2022

Arising Out of PS. Case No.-199 Year-2020 Thana- BAHERI District- Darbhanga

1. Umesh Ram Son Of Late Dev Nr. Ram R/O Vill.- Baheri, P.S.- Baheri, Distt.- Darbhanga
2. Pramod Ram @ Promad Ram Son Of Dorik Ram R/O Vill.- Baheri, P.S.- Baheri, Distt.- Darbhanga
3. Riza Devi Wife Of Umesh Ram R/O Vill.- Baheri, P.S.- Baheri, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary
For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-03-2023 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 is that petitioners

along with other co-accused persons assaulted the

younger brother of the informant due to which he

succumbed to injuries.



It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. It is also submitted that one of the witnesses, namely, Puja Devi, who happens to be the own sister of the deceased has been examined and in her deposition she has clearly stated that no assault has been made with her brother at her Sasural rather while returning to his home he met with an accident due to which he died. During investigation, police has also found the aforesaid facts true. It is further submitted that the matter has been compromised between the parties and a joint compromise petition has been filed. They have falsely been implicated in the present case. Moreover, the petitioners are languishing in judicial custody since 11.09.2022. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent. Similarly situated co-accused persons have been granted bail vide order dated 28.06.2022, passed in Cr. Misc. No. 64466 of 2021 by the co-ordinate



Bench of this Court.

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 Baheri P.S. Case No. 199 of 2020 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 Additional Chief Judicial Magistrate VII, Darbhanga.

(Sunil Kumar Panwar, J)

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