

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71116 of 2022

Arising Out of PS. Case No.-197 Year-2022 Thana- SANGRAMPUR District- Munger

1. Rinki Devi @ Rinku Devi W/o Pramod Das R/o Village- Sangrampur, P.S.- Sangrampur, Distt- Munger.
2. Pramod Das S/o Buddhu Das R/o Village- Sangrampur, P.S.- Sangrampur, Distt- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Patel, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-04-2023 Heard learned counsel appearing on behalf of the petitioners and learned APP appearing on behalf of the State.

The petitioners seeks bail in connection with Sangrampur P.S. Case No.197 of 2022 registered for the offence under Sections 302 and 34 of the Indian Penal Code.

The accused/petitioners are not named in the F.I.R. and are in custody since 18.08.2022.

The allegation against the petitioners are to commit the murder of mother of the informant alongwith other co-accused persons due to previous enmities.

Learned counsel appearing on behalf of the petitioners submitted that petitioners are not named in the F.I.R. and



implication is based upon suspicion. It is submitted that informant is admittedly not the eye witness of the occurrence, who subsequently out of suspicion raised the name of petitioner No.2, in para-5 of the Case Diary during the course of investigation. It is submitted that save and except confessional statement of husband of the petitioner No.1, who is petitioner No.2 namely Pramod Das, nothing incriminating surfaced during the course of investigation, which may connect both petitioners, *prima facie*, with the present allegation. It is also pointed out that deceased herself engaged in illegal activities of illicit liquor. While concluding the argument, it is submitted that both petitioners are wife and husband, having clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as save and except confessional statement and suspicion nothing incriminating surfaced against both above named petitioners during the course of investigation to connect, *prima facie*, with the present case coupled with the fact that charge-



sheet has already submitted, let above named both petitioners are directed to be released on bail in connection with Sangrampur P.S. Case No.197 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Munger/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

U		T	
---	--	---	--

