

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1150 of 2023

Arising Out of PS. Case No.-78 Year-2020 Thana- RANIGANJ District- Araria

1. Tuntun Mukhia @ Tuntun Son Of Late Sone Lal Mukhia R/V- Hasanpur Ward No. 10, P.S- Raniganj, Dist- Araria
2. Jhhabroo Mukhia @ Jhabaru Mukhia Son Of Late Masudan Mukhia @ Late Madhusudan Mukhia R/V- Hasanpur Ward No. 10, P.S- Raniganj, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-04-2023 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.

The prosecution case in nutshell is that

petitioners along with co-accused Dhiro Mukhia and

some unknown persons have assaulted the husband of

informant, namely, Dinesh Mukhia 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. They have falsely been implicated in the present case. There is no eye witness of the alleged offence rather the name of petitioner sprang up in this case merely on the basis of suspicion. There is no consistent material evidence against the petitioners. It is further submitted that charge sheet has been submitted in this case without any cogent material. Moreover, the petitioners are languishing in judicial custody since 09.10.2022. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

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 Raniganj P.S. Case No. 78 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 Sub Divisional Judicial Magistrate, Araria.

(Sunil Kumar Panwar, J)

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