

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11974 of 2024

Arising Out of PS. Case No.-145 Year-2021 Thana- SAKRA District- Muzaffarpur

Lakhu Das @ Lakhkhu Das @ Lakkha Lakkhu Das S/o Late Bechan Das R/o
vill - Harpur Krishna, P.S .- Sakra, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand, Advocate

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 27-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in Sakra P.S. case No.
145 of 2021 (Sessions Trial No. 723 of 2022) instituted for
the offences under Sections 302/34 of the Indian Penal
Code..

3. Prosecution allegation, in short, is that the
accused persons including the petitioner used to assault her
husband and ultimately on 03.03.2021, the husband of the
informant was assaulted by the accused persons due to
which he died.

4. Learned counsel for the petitioner submits that



the petitioner has falsely been implicated in the present case. Charge-sheet has been submitted in this case. General and omnibus allegation has been made against the petitioner. No specific allegation is alleged against the petitioner. The informant is not an eye witness to the alleged occurrence. The petitioner is an old person aged about 76 years. As per post-mortem report, the doctor has not opined the cause of death of the deceased. The petitioner is in custody since 05.03.2021 and has no criminal antecedent. Co-accused has been granted bail by a Coordinate Bench of this Court vide order dated 20.12.2023 passed in Cr. Misc. No. 12553 of 2023 (Annexure-P/2 to this application).

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of



Court below/concerned Court in connection with Sakra P.S.
case No. 145 of 2021 (Sessions Trial No. 723 of 2022).

(Rudra Prakash Mishra, J)

Pankaj/-

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