

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14380 of 2024

Arising Out of PS. Case No.-101 Year-2022 Thana- KATHAIYA District- Muzaffarpur

1. Dinesh Ram Son of Late Lagan Ram Resident of Village - Rampur Bheriyahi, P.S. - Kathaiya, District - Muzaffarpur
2. Vinesh Ram Son of Late Lagan Ram Resident of Village - Rampur Bheriyahi, P.S. - Kathaiya, District - Muzaffarpur
3. Raju Ranjan Ram Son of Vinesh Ram Resident of Village - Rampur Bheriyahi, P.S. - Kathaiya, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar S.K., Adv.

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 07-03-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. Learned counsel for the petitioners prays for and is allowed to make necessary correction in paragraph nos. 1, 12 and prayer portion of this bail application in course of the day.

3. The petitioners seek bail in connection with S. Tr. No. 79 of 2024 arising out of Kathaiya P.S. Case No. 101 of 2022 instituted for the offences under Sections 302, 201, 120(B) of the Indian Penal Code.

4. As per prosecution case, the petitioners along with other co-accused persons have killed the younger *Bhagini* of the



Informant namely Ranjana Kumari (the deceased). It is further alleged that the accused persons thereafter took the dead body of the deceased and burnt the same at some other place.

5. Learned counsel for the petitioners submit that the petitioners are innocent and has committed no offence as alleged against them and have falsely been implicated in the present case. The petitioner nos. 1 & 3 are uncle of the deceased and the petitioner no.2 is the cousin brother of the deceased. There is no eye-witness to the alleged occurrence. There is six days delay in the institution of the F.I.R. without there being any plausible explanation for the same. There is no direct and specific allegation of any overt act against the petitioners rather the same is general and omnibus in nature. The petitioners have no criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioners are languishing in judicial custody since 02.11.2023. The Charge-sheet has been submitted in this case and the case has also been committed to the court of sessions.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as



also taking into account the period of custody of the petitioners and the petitioners having no criminal antecedent, let the petitioners, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with S. Tr. No. 79 of 2024 arising out of Kathaiya P.S. Case No. 101 of 2022., subject to the conditions that;

(i) One of the bailors shall be own/close member of the family of the petitioners.

(ii) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

rishi/-

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

