

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16447 of 2024

Arising Out of PS. Case No.-192 Year-2023 Thana- PRANPUR District- Katihar

1. Sri Ram Mandal, aged about 50 years (Male), S/o Late Shatrughan Mandal, R/o vill - Budh Nagar, P.S. Pranpur, Distt. - Katihar.
2. Meera Devi, aged about 42 years (Female), W/o Sri Ram Mandal, R/o vill - Budh Nagar, P.S. Pranpur, Distt. - Katihar.

... .. Petitioners

Versus

1. The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Raghvendra Singh, Advocate
For the Opposite Party : Mrs. Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 08-07-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek bail in connection with Pranpur (R) P.S. Case No. 192 of 2023 dated 04.10.2023 registered for the offence punishable under Sections 302/34 of the I.P.C.

3. As per the prosecution case, the petitioners who are the brother and sister-in-law (Bhabhi) of the informant assaulted the informant's mother and put pressure on her to register the land in their favour. It is further alleged that on 04.10.2023 at about 7.00 P.M., they again assaulted the informant's mother with intent to kill. The petitioners pressed and twisted the neck



of the informant's mother due to which she died on the spot.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is submitted that the informant is the sister of the petitioner no. 1 and the sister-in-law (Nanad) of the petitioner no. 2 and the informant wants to grab the property of the parents, hence, she lodged the present false case against the petitioners whereas the mother of the petitioner no. 1 died in natural death. It is further submitted that from perusal of the F.I.R. as well as case diary, it appears that there is no independent witness to support the allegation as alleged against the petitioners. There is property dispute between the parties. It is further submitted that from perusal of the postmortem report which is annexed as Annexure-2 to the bail petition, it appears that 'No any external injury noticed over the body, No abrasion seen on neck, No nail mark seen, No any ligature mark seen, on dissection, no haemorrhage inside subcutaneous tissue. Thyroid and cricoids cartilage intact and the doctor opined that the exact cause of death cannot be ascertained so viscera has been preserved.' The petitioners have clean antecedent as stated in paragraph no. 3 of the bail petition. They are in custody in this case since 05.10.2023.



5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners, above named, are directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar in connection with Pranpur (R) P.S. Case No. 192 of 2023 with further condition:-

(I) The petitioners are directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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