

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24922 of 2024

Arising Out of PS. Case No.-18 Year-2023 Thana- MAIGRA District- Gaya

1. Karu Bharti
2. Chhotu Bharti.
Both Sons Of Mish Bharti @ Miru Bhuiyan Resident of village- Chandriya,
P.S-. Maigra, District -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Saxena, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-07-2024 Heard Mr.Anil Kumar Saxena, learned counsel for
the petitioners and Mr.Anil Kumar, learned A.P.P. for the State.

2. The petitioners seek bail, in connection with
Maigra P.S.Case No.18 of 2023, F.I.R. dated 20.02.2023
registered for the offence punishable under Section 302/34 of
the Indian Penal Code.

3. Allegation against the petitioners is that they
alongwith other co-accused persons murdered informant's
daughter Ramrati Devi and kept her dead body in the field
outside the informant's house. Petitioner No.2, namely, Chhotu
Bharti assaulted the victim Ramrati Devi just one day before the
date of occurrence.



4. Learned counsel appearing for the petitioners submits that the petitioners have clean antecedent and they have falsely been implicated in the present case. Petitioner No.1 is husband and petitioner No.2 is Devar (brother-in-law) of the deceased and it appears from the FIR itself that the marriage of the victim was performed with the petitioner No.1 in 15 years ago and there is no eye witness of the alleged occurrence and the allegation as alleged in the FIR is not supported by the medical evidence and the police, after investigation, submitted chargesheet against the petitioners and petitioner No.1 is in custody since 22.02.2023 and petitioner No.2 is in custody since 29.03.2023 respectively.

5. Learned APP for the State has opposed the prayer for bail of the petitioners.

6. Considering the aforesaid fact, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned J.M.-1st Class, Sherghati, Gaya in connection with Maigra P.S.Case No.18 of 2023, with the following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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