

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27960 of 2024

Arising Out of PS. Case No.-339 Year-2023 Thana- BAHADURGANJ District- Kishanganj

1. Mahaveer Lal Bosak @ Mahaveer Lal Basak S/o- Late Nageshwar Lal Bosak R/o- Bosak Tola, PS- Bahadurganj, Distt- Kishanganj
2. Rajo Devi @ Rakp Devi W/o- Mahaveer Lal Bosak @ Mahaveer lal Basak R/o- Bosak Tola, PS- Bahadurganj, Distt- Kishanganj
3. Sita Devi @ Pilpill Devi Late Basu Lal Bosak Bosak Tola, PS- Bahadurganj, Distt- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar
For the Opposite Party/s : Mr.J.N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 01-08-2024 Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

2. The petitioners are seeking regular bail in connection with Bahadurganj P.S. Case No. 339 of 2023, registered for the offences punishable under Sections 302, 120(B) of the Indian Penal Code.

3. The mother of the deceased is the informant. As per allegation, petitioner no. 1, who is father-in-law, petitioner no. 2, who is mother-in-law and petitioner no. 3 is married sister of petitioner no. 1 and Sujit Kumar, the son of petitioner no. 1 committed murder of the deceased by inflicting knife blows. The allegation against petitioner no. 1 is that he caught hold of



the deceased and his son inflicted knife blows. Later on, it has been mentioned that petitioner no. 1 also inflicted knife blows.

4. The learned counsel for the petitioners has submitted that the petitioners were the relatives of the deceased and the deceased was a man of criminal nature and it was the reason that the marriage of daughter of petitioner no.1 was solemnized somewhere else, due to which the deceased used to quarrel with the family members of the petitioner. He has further submitted that the petitioners have falsely been implicated in this case. Co-accused Sujeet Kumar in his confessional statement has stated categorically that the deceased was quarreling with his parents and it was the reason that co-accused Sujeet Kumar inflicted knife blows on the person of the deceased.

5. On the other hand, the learned APP for the state has opposed the prayer for bail and submitted that the independent witnesses in paragraph nos. 47 and 48 have fully corroborated the prosecution case.

6. The mother of the deceased stated in her *fardbeyan* in clear words that her son was a man of criminal nature. From materials collected during course of investigation, it appears that the petitioner no. 1 solemnized second marriage of his daughter



with another person and the deceased was aggrieved by the actions of the petitioners and used to quarrel with them. Co-accused Sujeet Kumar confessed his guilt and he stated that in his confessional statement that he killed the deceased by inflicting knife blows on the person of the deceased. So far as the petitioners are concerned, they are the persons of clean antecedents.

7. Considering the above-mentioned facts and circumstances especially the clean antecedent, let the petitioners above-named be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Kishanganj in connection with Bahadurganj P.S. Case No. 339 of 2023, subject to the following conditions:-

- (i) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(Nawneet Kumar Pandey, J)

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