

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37875 of 2024

Arising Out of PS. Case No.-40 Year-2023 Thana- BHABHUA District- Kaimur (Bhabua)

1. Khedru Bind @Khadaru Bind Son Of Late Doma Bind Village- Sarangpur, Ps- Bhabua, Dist- Kaimur At Bhabua
2. Suraji Devi Wife Of Manu Bind @ Mannu Bind @ Mannu Kumar Bind Village- Sarangpur, Ps- Bhabua, Dist- Kaimur At Bhabua

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajani Kant Pandey

For the Opposite Party : Mr. Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 29-08-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Bhabua P.S. Case No. 40/2023 dated 17.01.2023 registered for the offence punishable u/s 341, 323, 337 and 316 read with 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and the co-accused persons came to the house of the informant and removed electric wire. When the informant went to connect the electric wire, the petitioners and the co-accused persons assaulted the informant with leg and fist, due to which she fell



on the ground, causing pain in her stomach. Thereafter, the informant's family members took her to the hospital, where the doctor took out the dead body of the infant through operation.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case due to previous enmity. Learned counsel has submitted that the petitioners have not assaulted the informant and they have no role in miscarriage of the unborn baby. The informant was connecting electric wire in the main line and in the course of connection, she fell down and caused her miscarriage. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 07.03.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners. As per the post-mortem report, the cause of death is due to hemorrhage and shock, caused by head injuries and abdominal injuries.

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 Court concerned, Kaimur at Bhabua, in connection with
Bhabua P.S. Case No. 40/2023, with the 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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