

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35515 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- PURNAHYA District- Sheohar

1. Chalitar Das S/o- Late Parmeshwar Das Village- Khaira Pahari Ps-Purnahiya Dist- Sheohar
2. Munna Das son of Chalitar Das Village- Khaira Pahari Ps-Purnahiya Dist- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 38476 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- PURNAHYA District- Sheohar

Dipu Kumar S/O Munna Das R/O Village Khaira Pahari, P.S. - Purnahiya,
Dist Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 35515 of 2024)

For the Petitioner/s : Mr. Krishna Prasad, Sr. Advocate
Mr. Hans Lal Kumar, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 38476 of 2024)

For the Petitioner/s : Mr. Krishna Prasad, Sr. Advocate
Mr. Hans Lal Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 24-06-2024 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with
Purnahiya P.S. Case No. 14 of 2024 instituted for the offence



under Sections 302 & 34 of the Indian Penal Code.

3. Prosecution story, in short, is that accused persons, including the petitioners, assaulted the father of the informant by means of lathi, danda and strangled his neck due to which he died.

4. It has been submitted on behalf of the petitioners that the petitioner No. 1 of Cr. Misc. No. 35515 of 2024 and petitioner of Cr. Misc. No. 38476 of 2024 are in custody since 15-02-2024, while the petitioner No. 2 of Cr. Misc. No. 35515 of 2024 is in custody since 13-02-2024. Petitioners of both the applications bear clean antecedent.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case due to previous enmity. It is submitted that FIR does not corroborate with the postmortem report, as there is no either external or internal injury found on the body of the deceased.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. It is submitted that during the course of investigation witnesses have supported the prosecution case.

7. Considering the aforesaid facts and circumstances



of the case, taking into account the postmortem report, clean antecedent of the petitioners, period of custody of the petitioners, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Purnahiya P.S. Case No. 14 of 2024, subject to the following conditions:

(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)

Raj Kishore/-

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

