

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53526 of 2024

Arising Out of PS. Case No.-122 Year-2022 Thana- NATIONAL HIGHWAY District-
Samastipur

PRIYANKA DEVI W/O LAKKI MAHTO R/V RAHIMABAD, P.S- N.H.
BANGRA, DISTT.- SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ajay Kumar, Advocate
For the State	:	Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with N H
Bangra P.S. Case No. 122 of 2022, registered for the offence
punishable under Sections 302 and 34 of the Indian Penal Code.

3. As per prosecution case, all the F.I.R. named
accused persons, including this petitioner and son of informant
used to work as laborers at Karnal wherein son of informant fell
in love with a girl, due to which enmity arose between this
petitioner and son of informant and subsequently, on
22.09.2022, informant came to know that his son was called by
all the accused persons, including this petitioner and thereafter,
he was killed by them.



4. It is submitted by learned counsel appearing on behalf of the petitioner that informant is not an eye witness of the alleged occurrence and only suspicion, petitioner has been made an accused in this case. It is further submitted that from bare perusal of the *post mortem* report suggests that the doctor has opined that there was no external injury on the body of the deceased, which itself falsifies the entire prosecution case. Moreover, similarly situated co-accused persons have already been granted privilege of anticipatory bail by this Hon'ble Court vide order dated 20.07.2023 passed in Cr. Misc. No. 24956 of 2023. Petitioner claims clean antecedents and he is in custody since 01.04.2024. Moreover, chargesheet has already been submitted.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case, nature of accusation and period of custody, the prayer for bail of petitioner is allowed.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Samastipur, in connection



with N H Bangra P.S. Case No. 122 of 2022.

(Prabhat Kumar Singh, J)

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