

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56094 of 2024

Arising Out of PS. Case No.-207 Year-2024 Thana- BAIRIYA District- West Champaran

1. Gita Devi Wife Of Bharat Mahto @ Bharat Prasad Village- Bairiya Tiwari Tola P.S- Bairiya District- West Champaran
2. Suganti Devi Wife Of Rajdev Prasad Village- Bairiya Tiwari Tola P.S- Bairiya District- West Champaran
3. Rubi Devi @ Rubi Kumari Wife Of Birju Kumar Kushwaha @ Birju Prasad @ Birju Kumar Village- Bairiya Tiwari Tola P.S- Bairiya District- West Champaran
4. Birju Kumar Kushwaha @ Birju Prasad @ Birju Kumar Son Of Shambhu Prasad Village- Bairiya Tiwari Tola P.S- Bairiya District- West Champaran
5. Shambhu Prasad Son Of Late Ramji Mahto @ Late Baccha Prasad Village- Bairiya Tiwari Tola P.S- Bairiya District- West Champaran
6. Bharat Prasad @ Bharat Mahto Son Of Late Ramji Mahto @ Late Baccha Prasad Village- Bairiya Tiwari Tola P.S- Bairiya District- West Champaran
7. Rajiv Mahto @ Rajdev Prasad @ Rajdev Mahto Son Of Late Ramji Mahto @ Late Baccha Prasad Village- Bairiya Tiwari Tola P.S- Bairiya District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv. Mr. Ritwik Thakur, Adv. Ms. Vaishnavi Singh, Adv.
For the Opposite Party/s :		Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-09-2024 Heard learned counsel for the petitioners and learned
counsel for the State.

2. The petitioners apprehend their arrest in connection



with Bairiya P.S. Case No. 207 of 2024 registered under Sections 306 of the Indian Penal Code.

3. As per prosecution case, the daughter of informant who was married with Tapan Prasad, was killed on 12.06.2024 and the dead body of deceased was found buried behind the house of Tapan Prasad. It is alleged that all the F.I.R. named accused persons including these petitioners killed the daughter of informant.

4. Learned counsel appearing on behalf of the petitioners submits that informant is not an eye witness of the case. From bare perusal of F.I.R., it is evident that informant does not disclose as to how and under what circumstances he came to know that daughter of informant has been killed by these petitioners, who are members of the extended family of the husband of deceased. It is strange that in the present case, none of the family members of husband of deceased including the husband have been made accused. The deceased allegedly died on 12.06.2024, but no information was given by members of *Sasural* (in-laws) people to informant or to the police. The dead body of the deceased was found buried behind the house of Tapan Prasad (husband of the deceased). During investigation, no material has come to show the complicity of these petitioners



in this case, they have been falsely implicated in this case because of the *Pattidari* dispute with in-laws of the deceased. Petitioners have got no criminal antecedent.

5. Learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail-bonds of Rs. 10,000 (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-III, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 207 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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