

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71546 of 2023

Arising Out of PS. Case No.-167 Year-2023 Thana- PHULPARAS District- Madhubani

1. Singheswar Shah @ Singheshwar Sah @ Singheswar Sahu @ Dhodhai Sah Son Of Late Basu Sahu @ Vahu Sahu Resident Of Village- Ratauli, P.S-. Phulparas, District -Madhubani
2. Bipin Sah @ Binit Kumar @ Bipin Sahu Son Of Sri Singheshwar Shah @ Singheshwar Sah @ Singheswar Sahu @ Dhodhai Sah Resident Of Village- Ratauli, P.S-. Phulparas, District -Madhubani
3. Manju Devi Wife Of Sri Singheswar Singh @ Singheshwar Sah @ Singheswar Sahu @ Dhodhai Sah Resident Of Village- Ratauli, P.S-. Phulparas, District -Madhubani
4. Rita Devi Wife Of Sri Pradeep Sahu Resident Of Village- Ratauli, P.S-. Phulparas, District -Madhubani

... .. petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the petitioners/s : Mr.Mohit Agarwal

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 24-01-2024 Heard learned counsel for the petitioners, informant and learned APP for the State.

2. The petitioners have prayed for regular bail in a case instituted for the offence under Sections 302 and 201 of the Indian Penal Code.

3. As per FIR, informant is *choukidar* and at the time of patrolling, he found two beheaded dead body of females, which were lying in the bank of Bharauli River Dhar. It is suspected that some unknown miscreants have committed



murder and with a view to destroy the evidence thrown dead bodies in the bank of river.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. Petitioners are not named in the FIR and the same has been lodged against unknown person. The name of these petitioners have come into light on the basis of confessional statement of one Manish Kumar, which has got no evidentiary value in the eyes of law. Except confessional statement and suspicion, there is no any consistent evidence and no eye-witness of the alleged occurrence, to show that these petitioners have involved in the crime. There is no specific overt act against these petitioners. Petitioners have got no criminal antecedent as stated in para-3 of the bail petition. They are languishing in judicial custody since 13.06.2023.

5. The application for bail is opposed by learned APP for the State, learned counsel for the informant and submitted that the petitioner no. 2 confessed the involvement of the petitioners in the alleged occurrence and at his instance, the as alleged weapon(sword) recovered behind his house.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, petitioners



are old age persons and some being ladies and period of custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Jhanjharpur, Madhubani in connection with Phulparas P.S. Case No. 167 of 2023.

(Sunil Kumar Panwar, J)

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