

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80545 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- PHULWARISHARIF District- Patna

1. ANITA DEVI @ AMRITA DEVI W/O RAGHUNATH PRASAD R/O VIL-LAGE- BRAHMPUR, PS. PHULWARISHARIF, DIST. PATNA
2. RAGHUNATH PRASAD S/O LATE SUKHDEO SINGH R/O VILLAGE-BRAHMPUR, PS. PHULWARISHARIF, DIST. PATNA
3. DILIP KUMAR S/O RAGHUNATH PRASAD @ RADHUNATH PRASAD R/O VILLAGE- BRAHMPUR, PS. PHULWARISHARIF, DIST. PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Mritunjay, Adv.

For the Opposite Party/s: Mr.Sanjay Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-04-2024 Heard learned counsel for the petitioners and learned A.P.P.
for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable u/s 302/34 of the Indian Penal Code.

3. Allegedly, all the accused persons including the petitioners are said to have committed murder of the informant's daughter.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and they have committed no offence. No such occurrence as alleged ever took place. They have been falsely implicated in this case due to ulterior motive. Petitioner nos. 1 & 2 are in-laws, whereas petitioner no.3 is husband of the informant. The allegation levelled against the petitioners is totally false and based on concocted facts. They have no role in



the alleged occurrence. There is no eye witness in the present case. The names of the petitioners have been transpired in the present case merely on suspicion. It is further submitted that the viscera report as well as the postmortem report of the deceased does not support the prosecution case. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as the viscera report as well as the postmortem report of the deceased does not support the prosecution case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Phulwarisharif P.S. Case No. 15 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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