

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76630 of 2023

Arising Out of PS. Case No.-76 Year-2023 Thana- MANIHARI District- Katihar

1. Charan Murmu Son Of Pradhan Murmu R/O Village- Parasbanni, P.S.- Manihari, District- Katihar
2. Pradhan Murmu Son Of Kandan Murmu R/O Village- Parasbanni, P.S.- Manihari, District- Katihar
3. Chandmuni Choude Wife Of Pradhan Murmu R/O Village- Parasbanni, P.S.- Manihari, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Mohammed Arif, APP
For the Informant	:	Mr. Md. Musowir, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 05-04-2024 Heard learned counsel for the petitioners and learned APP for the State as well as learned counsel for the informant and perused the case diary.

2. The petitioners seek bail in connection with Manihari P.S. Case No. 76 of 2023 instituted for the offence under Sections 304B & 34 of the Indian Penal Code.

3. Prosecution case in short is that daughter of the informant was done to death by administering poison at her matrimonial house.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 09-06-2023. Petitioners



have no criminal antecedent.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. Petitioner No. 1 is the husband of the deceased while petitioner No. 2 and petitioner No. 3 are father-in-law and mother-in-law of the deceased, respectively. It is submitted that there is no eye witness to the occurrence. Referring to the FIR, it would reveal that deceased has died due to administering poison. There is general and omnibus allegation levelled against the petitioners. There is no specific allegation against the petitioners. Referring to the viscera report, it is submitted that 'aluminum phosphide' was detected in the contents. It is lastly submitted that charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners, clean antecedent of the petitioners and charge sheet being submitted, 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 Manihari P.S. Case No. 76 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner 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 petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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

