

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83086 of 2024

Arising Out of PS. Case No.-394 Year-2024 Thana- KANTI District- Muzaffarpur

1. Mahendra Ram S/o Brijnandan Ram R/O VILL.-Kanti Kasba, Ward no. 18, Harijan Tola, P.S.- Kanti, Dist.- Muzaffarpur
2. Amarnath Ram Son of Mahendra Ram R/O VILL.-Kanti Kasba, Ward no. 18, Harijan Tola, P.S.- Kanti, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the State : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 04-12-2024 Heard Mr. Alok Kumar Alok, learned counsel for the

Petitioners and Mr. Mithlesh Kumar Khare, learned APP for the

State.

2. Petitioners seek regular bail in connection with

Kanti P.S. Case No. 394 of 2024 dated 30.07.2024 registered for

the offences punishable under Sections 103, 61(2), 238 and 3(5)

of the Bharatiya Nyaya Sanhita, 2023 (in short 'BNS').

3. The main submissions advanced by learned counsel

for the petitioners are that though the instant matter relates to

unnatural death of the informant's brother but except the

suspicion raised by the informant in the FIR, there is no material

against the petitioners and initially, the informant got the



information that her brother had committed suicide and when she came to her brother's house, she found the dead body of her brother lying at the gate of the house and as the informant did not find any incriminating material relevant to the allegations of suicide, she raised suspicion that in order to grab her brother's land, her brother was murdered by the petitioners but it is an admitted position that even after the death of informant's brother, the petitioners are not entitled to get the property left by the deceased as there are legal heirs of the victim also, so, the reason of suspicion as disclosed by the informant is not believable. It is further submitted that admittedly, the victim's dead body was found lying at the gate of the victim's house but any co-villager or other person belong to the neighboring houses did not come forward to support the said suspicion raised by the informant in the FIR. It is further submitted that both the petitioners have been languishing in jail since 31.07.2024 having fair and clean antecedent and against them, the investigation has been completed.

4. Learned APP for the State has opposed the bail prayer of the petitioners.

5. Considering the above submissions and mainly the facts that except suspicion raised by the informant in the FIR,



there is no material against the petitioners and both the petitioners have fair and clean antecedent and against them, investigation has been completed and as per the FIR, no one has claimed to have seen the petitioners being involved in murder of the informant's brother, in my opinion, it is a fit case for bail to the petitioners. Accordingly, let the petitioners named-above be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Kanti P.S. Case No. 394 of 2024.

(Shailendra Singh, J)

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