

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7304 of 2025

Arising Out of PS. Case No.-113 Year-2024 Thana- DHARHARA District- Munger

1. Nilu Devi W/o Late Rajendra Tanti @ Rajo Tanti R/o Village- Pachrukhi, P.S.- Dharahra, Distt.- Munger
2. Premlata Devi @ Hemlata Devi W/O GOPAL TANTI R/o Village- Pachrukhi, P.S.- Dharahra, Distt.- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate

For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 04-02-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seeks bail in connection with Dharahara P.S. Case No. 113 of 2024 instituted for the offences under Sections 147, 149, 302, 380 of the Indian Penal Code.

3. Allegation against the accused persons including the petitioners of assaulting the informant's mother to death.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. Learned counsel further submitted that there is a delay of one day in lodging the FIR without plausible explanation, which in itself, raises doubt over the prosecution story. It is further



submitted that informant is not the eye-witness to the occurrence. Learned counsel for the petitioners submits that general and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. There is land dispute between the parties. It has been submitted on behalf of the petitioners that the petitioners are in custody since 24.09.2024 and has one criminal antecedent each. Other co-accused has been granted bail by this Court vide order dated 09-12-2024, passed in Cr. Misc. No. 65006 of 2024.

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

6. Considering the aforesaid facts and circumstances of the case, no specific allegation of assaulting the deceased against this petitioners as also the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dharahara P.S. Case No. 113 of 2024, subject to the following conditions:

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



the family of the petitioners.

(II) The petitioners 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 petitioners.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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