

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32508 of 2025

Arising Out of PS. Case No.-269 Year-2024 Thana- GWALPARA District- Madhepura

1. Hema Devi W/O Makhan Mandal R/O Village- Laliya Bhita, P.S.- Gwalpara, Dist.- Madhepura
2. Balo Mandal @ Ballu Mandal S/O Makhan Mandal R/O Village- Laliya Bhita, P.S.- Gwalpara, Dist.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivnandan Sah

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 08-10-2025 Heard learned counsel appearing on behalf of the parties.

2. The petitioners seeks bail in connection with Gwalapara P.S. Case No. 269 of 2024 registered for the offence under Sections 103(i), 3(5) of BNS.

3. The petitioners are named in the F.I.R. and they are in custody since 21.12.2024.

4. As per FIR, the married sister of informant was killed by accused petitioners including 4-5 unknown persons where her dead body was said to be recovered from an open field near to her matrimonial house.



5. Learned counsel appearing on behalf of the petitioners submitted that though informant claimed himself as an eye witness of the occurrence but he is not so for the simple reason that the informant is ordinary resident of Purnea and has no occasion to visit the village of her married sister before the occurrence. It is pointed out that the dead body of married sister was found in open field and she might be killed by unknown persons. It is submitted that being family members the petitioners were implicated in present case where both of them were arrested from their house after recovery of dead body. It is submitted that save and except suspicion against petitioners being family members nothing transpires during investigation which may suggest involvement of petitioner qua crime in question. While concluding the argument, it is submitted that petitioners claimed clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.



7. In view of aforesaid factual submission and by taking note of fact as except suspicion raised by informant nothing incriminating material recovered / surfaced during investigation as to connect petitioners *prima-facie* with present occurrence of murder, coupled with fact that dead body of victim was recovered from an open field where both petitioners are in custody since 21.12.2024, accordingly both above named petitioners, are directed to be released on bail in connection with Gwalapara P.S. Case No. 269 of 2024 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount to the satisfaction of learned JM 1st Class, Udakishunganj, Madhepura /concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C /Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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