

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71185 of 2024

Arising Out of PS. Case No.-373 Year-2022 Thana- RAGHOPUR District- Supaul

1. Guddu Mardania, Son of Laxami Mardania, Resident of Village- Laxmipur, Balmiki Nagar, Dist- West Champaran
2. Savita Devi @ Savita Mardania, Wife of Guddu Mardani, Resident of Village- Laxmipur, Balmiki Nagar, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

7 04-04-2025 Heard Mr. Ranjay Kumar Singh, learned counsel for the petitioners and Mr. Abhay Kumar, APP, learned APP for the State.

2. The petitioners have prayed for bail in connection with Raghapur P.S. Case No.373 of 2022 registered for the offence punishable under Sections 302, 379 and 34 of the Indian Penal Code.

3. The case of the prosecution is that the petitioners were working in the poultry farm of the deceased. He has caught the petitioners selling the eggs in poultry illegally. It is further alleged that on 24.09.2022, while the brother of the informant was at his poultry farm, the petitioners assaulted him. After that, the brother of the informant got unconscious. He was rushed to the doctor where he died.



4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case. It has further been submitted the petitioners have already left the poultry farm of the deceased and that there was some dispute regarding wages due to which they have been implicated in this case. It has also been submitted that according to the F.I.R., the occurrence is of between 8.30 and 9.00 A.M. The post mortem of the deceased was conducted at 3.40 P.M. same day and the doctor has opined that time of death is within 12 to 24 hours. The finding of the doctor and the time of death does not match. It has also been submitted that during trial, the informant has deposed before the trial Court as P.W.-4 and in his cross examination, he has stated that he has filed the case as he was informed. Admittedly, at the time of occurrence, there was no one and there is no eye witness in this case. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent. They are languishing in judicial custody since 26.09.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named



petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-III, Supaul in connection with Raghapur P.S. Case No.373 of 2022.

(Ashok Kumar Pandey, J)

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