

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78481 of 2024

Arising Out of PS. Case No.-327 Year-2020 Thana- PIPRAKOTHI District- East Champaran

1. Geeta Devi W/o- Vikram Sah @ Vikram Kumar Sah Resident of Village - Veer Chhapra Balharwa, P.S. - Pipra Kothi, District - East Champaran
2. Rambha Devi @ Abha Devi W/o- Ashok Sah Resident of Village - Veer Chhapra Balharwa, P.S. - Pipra Kothi, District - East Champaran
3. Narsingh Sah S/o- Late Buni Lal Sah Resident of Village - Veer Chhapra Balharwa, P.S. - Pipra Kothi, District - East Champaran
4. Sunaina Devi W/o- Narsingh Sah Resident of Village - Veer Chhapra Balharwa, P.S. - Pipra Kothi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-01-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302, 34 of the Indian Penal Code.

3. Allegedly, the petitioners are said to have been involved in murder of the informant's father.

4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. No such occurrence as alleged has ever taken place.



They have falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. Nothing specific has been attributed against them. During course of investigation, the I.O. submitted final form against the petitioners in lack of evidence. Thereafter, vide order dated 24.12.2020, the learned C.J.M., East Champaran, Motihari accepted the final report submitted by the I.O. and exonerated the accused persons from the charges levelled against them. It is further submitted that the learned Judicial Magistrate 1st Class, Motihari, East Champaran proceeded on protest cum complaint and after perusing the record and materials available took cognizance against the accused persons including the petitioners on 06.02.2024 and issued summons against them. It is further submitted that similarly situated co-accused have been enlarged on bail by this court vide order dated 25.09.2024 passed in Cr. Misc. No. 58545 of 2024. Learned counsel further submits that petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, since similarly situated co-accused have been enlarged on



bail by this Court, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Pipra Kothi P.S. Case No. 327 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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