

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80288 of 2024

Arising Out of PS. Case No.-90 Year-2024 Thana- Shahartelpa P.S. District- Arwal

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1. Raju Sao Son of Indradeo Sao Resident of Village- Kalbaliya Bigha, PS-Shahar Telpa, Distt.- Arwal
 2. Pappu Sao Son of Indradeo Sao Resident of Village- Kalbaliya Bigha, PS-Shahar Telpa, Distt.- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Prasad Singh, Advocate
For the Opposite Party/s : Mr.Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 27-02-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 126 (2), 115 (2), 103(1) and 3(5) of the Bharatiya Nyaya Sanhita.

3. The case of the prosecution is that the petitioners along with others assaulted the husband of the informant with 'slap' and 'fists'. There is specific allegation against Neelam Devi, Ishwari Kumar and Chintu Kumar that they sat over the



stomach of the deceased and assaulted him. Accordingly, the FIR.

4. Learned counsel for the petitioners submits that the petitioners are innocent and has falsely been implicated in connection with the present case. It is further submitted that from perusal of the FIR, it appears that there is general and omnibus allegation against the petitioners. From perusal of the post-mortem report, it is clear that the doctor has found the cause of death due to strangulation leading to Asphyxia. It is further submitted that the nature of allegation and the post-mortem report does not co-related. Petitioners are own brother of the deceased. Moreover, the petitioners are languishing in judicial custody since 06.09.2024 having no criminal antecedent.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Sahar Telpa P.S. Case No. 90 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned



Chief Judicial Magistrate, Arwal.

(Ashok Kumar Pandey, J)

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