

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14854 of 2015

Arising Out of PS.Case No. -167 Year- 2013 Thana -SABAUR District- BHAGALPUR

Devanand Thakur son of Sachidanand Thakur @ Sachita Thakur, Resident of Village - Khankitta, P.S. Sabour, District - Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

With

Criminal Miscellaneous No.18836 of 2015

Arising Out of PS.Case No. -167 Year- 2013 Thana -SABAUR District- BHAGALPUR

Munna Sah Son of Late Gulab Sah, Resident of Village - Khankitta, P.S. - Sabour, District - Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.14854 of 2015)

For the Petitioner/s : Mr. Janki Nandan Prasad

For the Opposite Party/s : Mr. Shailendra Kumar 2 (App)

(In Cr.Misc. No.18836 of 2015)

For the Petitioner/s : Mr. Davendra Kumar Pandey

For the Opposite Party/s : Mr. Khurshid Anwar (App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 23-06-2015 Both the applications arise out of the same police station case and as such they have been heard together and are being disposed of by this common order.

Heard Mr. Mishra who appears in support of both the applications and learned APP for the State.



The petitioners of both the cases are accuseds of Sabour P.S. Case No. 167 of 2013 registered under sections 302 and 201/34 IPC seek regular bail. According to the prosecution case, the deceased had accompanied the Barat Party to take videography. The Barat Party returned but the son of the informant did not. Subsequently, his dead body was found deserted on the road. Accordingly the FIR was lodged against unknown.

Counsel for the petitioners submits that except suspicion there is no direct allegation to incriminate the petitioners in the commission of crime. In course of investigation it has been found that the tempo on which the deceased was travelling had met with an accident in which the deceased received injuries on his head. He was being carried to the hospital but on way he died and his dead body was deserted. The petitioners do not carry any criminal antecedent and they are in custody since 10.01.2015 and 24.11.2014 respectively.

In the facts and circumstances of the case, the petitioners abovenamed are directed to be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Judicial Magistrate/Chief Judicial Magistrate, Bhagalpur in Sabour P.S. Case No. 167 of

2013 on condition that one of the bailors of each of the petitioners shall be their own/close family members. In the event of framing of charge, they shall appear on each date fixed at the trial. In case of default in appearance on two consecutive dates, the trial court shall cancel their bail bonds.

(Kishore Kumar Mandal, J)

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