

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23911 of 2015

Arising out of PS.Case No. -70 Year- 2015 Thana -KISHANGANJ District- KISANGANJ

1. Pramod Ram.
2. Prakash Ram. Both are sons of Lakshman Ram, R/o village-Ram Colony, Chegalia, P.S. - Kishanganj, District - Kishanganj.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioners : Mr. Raj Kumar, Advocate.

For the Opposite Party : Mr. Sanjay Kr.Panday(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-08-2015 The petitioners are languishing in custody since 05.03.2015 in connection with Kishanganj P.S. Case No. 70 of 2015 for the offences instituted under Section 302/34 of the I.P.C.

Heard learned counsel for the petitioners and learned counsel for the State.

The prosecution story, in brief, is that on 03.03.2015 at about 8.00 P.M. in the night, the informant and her family members were sleeping after taking meal. The informant further stated that her husband told her that he will return after talking with Mostt. Gita Devi but her husband did not return in the late night then she searched him alongwith her child and family members. But she could not trace him. She further stated that on



04.03.2015 in the morning during the course of search, her son, namely, Suresh Paswan alongwith some villagers found the dead body of her husband in the field of one Amiruddin. After getting information about the dead body of her husband, the informant reached at the alleged place of occurrence and found some injuries are present upon the dead body of her husband and blood was oozing from the left eye of her husband. She further stated that her husband was cultivating the field on batai and Mosmat Gita Devi, wife of Late Mahendra Ram, was also cultivating her field just adjacent to that field and due to which, there was good relation in between them and they used to talk with each other. She further stated that Gita Devi is a lady of questionable character and various persons were used to visit regularly at the house of Gita Devi and for that her husband objected other persons to visit at the house of Gita Devi due to which, Gita Devi was not liked to her husband personally. She further stated that Gita Devi, Prakash Ram, Parmod Ram, Prabhat, Pachho Ram and Shamshul were used to threaten her husband to kill him.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 05.03.2015 and the charge sheet has been submitted in the present case. It is further submitted that the petitioners have got no criminal antecedent. The petitioners

have been made accused in the present case merely on the basis of suspicion. There is no eye witness to the occurrence.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Kishanganj, in connection with Kishanganj P.S. Case No. 70 of 2015(G.R. No. 326 of 2015).

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(Sudhir Singh, J)