

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23570 of 2015

Arising out of PS.Case No. -109 Year- 2014 Thana -KUSHESHWARSTHAN District-
DARBHANGA

1. Ram Chandra Rai, Son of Late Gyan Chandra Rai.
2. Om Prakash @ Om Prakash Rai, son of Udgar Rai. Both are residents of
Village- Chaukiya, P.S.- Kusheshwar Asthan, District- Darbhanga.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Rajesh Kumar Jha, Advocate.
For the Opposite Party : Mr. Sadanand Paswan(Spl.App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-08-2015 The petitioners are languishing in custody since 16.03.2015 in connection with Kusheshwar Asthan P.S. Case No. 109 of 2014 for the offences instituted under Sections 302/34 of the I.P.C. Later on Section 3(2)(v) of the 3(1)(x) of the SC/ST (Prevention of Atrocities) Act was also added.

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

The prosecution story, in brief, is that on 12.04.2014 the son of the informant, namely, Sikindar Paswan aged about 17 years had gone to watch maize crop which is 1 K.M. away from his house. It is further alleged at about 7.00 P.M. the petitioners and others have committed murder of his son by pressing his neck

due to previous enmity. Further it is stated that he brought his son to P.H.C. Kusheshwar Asthan where the doctor declared him dead.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 16.03.2015 and the charge sheet has been submitted in the present case. So far as petitioner no. 1 is concerned, there is one criminal case pending against him in which he is on bail. So far as petitioner no. 2 is concerned, there is no criminal antecedent. As per the allegation, general and omnibus allegation has been made against the petitioners. No specific injury has been attributed against the petitioners.

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 S.D.J.M., Biraul at Benipur (Darbhanga) in connection with Kusheshwar Asthan P.S. Case No. 109 of 2014.

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(Sudhir Singh, J)