

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23851 of 2014

Arising Out of PS.Case No. -352 Year- 2013 Thana -UDWANTNAGAR District- BHOJPUR

1. Shambhu Singh @ Shambhu Yadav Son of Late Bhagirath Singh
resident of village - Bhagwatipur, P.S. Udwant Nagara, District -
Bhojpur

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.23967 of 2014

Arising Out of PS.Case No. -352 Year- 2013 Thana -UDWANTNAGAR District- BHOJPUR

1. Bir Bahadur Singh Son of Satyendra Singh Both residents of Village -
Bhagwatipur, P.S. Udwant Nagar, District - Bhojpur

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.24336 of 2014

Arising Out of PS.Case No. -352 Year- 2013 Thana -UDWANTNAGAR District- BHOJPUR

1. Dhananjay Kumar Singh @ Dhananjay Kumar Son of Ram Kumar
Singh residents of Village - Bhagwatipur, P.S. Udwant Nagar, District -
Bhojpur

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.23851 of 2014)

For the Petitioner : Mr. Sanjay Kumar @ Manu

For the Opposite Party : Mr. Ashraf Ansari(App)

(In Cr.Misc. No.23967 of 2014)

For the Petitioner : Mr. Sanjay Kumar @ Manu

For the Opposite Party : Mr. Ashraf Ansari(App)

(In Cr.Misc. No.24336 of 2014)

For the Petitioner : Mr. Sanjay Kumar @ Manu

For the Opposite Party : Mr. Asha Devi(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 05-01-2015

The petitioners are languishing in custody since 28.03.2014 in a case registered for the offences punishable under Sections 302/34, 323, 341, 448 of the I.P.C.

The prosecution case is of dragging out of daughter-in-law of the informant by the Panchayat Mukhiya from the house and strangulating her. The specific accusation is against Hemant Chaudhary, Ramjeet Chaudhary and Ramadhar Chaudhary. The petitioners were not named in the F.I.R but in subsequent statement the informant named the petitioners. Though during T.I.P the petitioner Shambhu Singh @ Shambhu Yadav has not been identified by the informant but the informant identified petitioner Bir Bahadur Singh and Dhananjay Singh.

It is submitted by learned counsel for the petitioners that though informant has identified the above two petitioners but he has not alleged any overt act against them.

Considering the fact that Shambhu Singh @ Shambhu Yadav has not been identified by the informant, let the petitioner Shambhu Singh @ Shambhu Yadav, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Ara at Bhojpur in connection with Udwant Nagar P.S. Case No. 352 of 2013.

So far as petitioner Bir Bahadur Singh and Dhananjay Kumar Singh @ Dhananjay Kumar are concerned, this Court is not inclined to grant bail to them at present. However, the above two petitioners are at liberty to renew the prayer for bail, if the trial will not conclude within a period of nine months.

Let the trial be expedited.

Accordingly the application is disposed off.

(Dinesh Kumar Singh, J)

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