

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7694 of 2015

Arising Out of PS.Case No. -393 Year- 2012 Thana -BARAUNI District- BEGUSARAI

- =====
1. Rajua @ Raju Bind son of Dinesh Bind
 2. Jadua @ Jadu Bind, son of Sopat Bind Both are resident of village/Mohalla- Malhipur Bind Tola, P.S.- Barauni, District- Begusarai
- Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Krishna Chandra

For the Opposite Party : Mr. Umeshanand Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 22-05-2015 Petitioners are languishing in custody since 19.12.2014 in a case registered for the offences punishable under Sections 302, 376, 511 of the Indian Penal Code.

The prosecution case is that daughter of the informant aged about ten years used to cut grass to the B.D.P.S. ground. On 17.11.2012 she went to cut grass but after that she went traceless. Thereafter the informant came to know that his daughter is lying in necked condition with sharp cut injury when sister-in-law(bhabhi) and brother of the informant took her to the hospital where she was declared dead. The First Information Report was registered against unknown on 17.11.2012. The statements of the mother and sister of the victim were recorded under Section 164 of the Cr.P.C where mother of the victim suggested that her daughter Sarti conveyed her that these petitioners have killed the victim whereas sister of the victim Sarti stated in her 164 Cr.P.C

statement that she came to know about the complicity of the petitioners in commission of the offence through Pujiya, daughter of Krishna.

It is submitted by learned counsel for the petitioners that statements of the mother and sister of the victim under Section 164 Cr.P.C were recorded after three months of the registration of the First Information Report and the girl who conveyed about the complicity of these petitioners to the daughter of the informant has not been examined during investigation.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the aforesaid facts, 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 learned Chief Judicial Magistrate, Begusarai in connection with Barauni P.S. Case No. 393 of 2012.

(Dinesh Kumar Singh, J)

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