

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31799 of 2015

Arising Out of PS.Case No. -55 Year- 2009 Thana -MARKAHI District- KHAGARIA

1. Kundan Sada @ Manoj Sada S/o Lalo Sada resident of village - Pirpanti,
P.S. Alauli, District - Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.34763 of 2015

Arising Out of PS.Case No. -55 Year- 2009 Thana -MARKAHI District- KHAGARIA

1. Varun Sada
2. Dilip Sada Both are sons of Late Laddu Lal Sada, R/o Village -
Amousi,P.S. - Morkahi, District - Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.31799 of 2015)

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Umanath Mishra(App)

(In Cr.Misc. No.34763 of 2015)

For the Petitioner/s : Mr. Phulen Yadav

For the Opposite Party/s : Mr. Arun Kr.Pandey(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA

ORAL ORDER

4 05-11-2015 Both the Cri. Misc. have arisen out of same P.S. Case

and as such have been heard together and are being disposed of by

this common order.

Heard learned counsel for the petitioners and learned

A.P.P. representing the State.

Petitioners seek bail in connection with Morkahi P.S. Case No. 55 of 2009 registered for the offences punishable under Section 302/34 of the Indian Penal Code.

It is a case of murder of about 16 persons.

Submission is of false implication and that the petitioners are not named in the F.I.R. but subsequently their names have come during course of investigation and the petitioner Kundan Sada @ Manoj Sada is suffering in custody since 20.01.2014 whereas petitioners Varun Sada and Dilip Sada are suffering in custody since 05.06.2015. In this case other co-accused, who have been convicted, have already been acquitted by another Division Bench of this Court and further similarly situated co-accused Devendra Chaudhary has been allowed bail vide order dated 06.03.2013 passed in Criminal Miscellaneous No. 1046 of 2013 and there is no progress in the trial. The petitioners undertake to remain present on each and every date during trial

Learned A.P.P. does not oppose the aforesaid submission.

In the facts and circumstances stated above, the petitioners, above named, of both the criminal miscellaneous are directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount

each to the satisfaction of the Learned 1st Additional session Judge, Khagaria arising out of Morkahi P.S. Case No. 55 of 2009 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners will remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

sushma/-

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