

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39508 of 2015

Arising Out of PS.Case No. -105 Year- 2015 Thana -KORHA District- KATIHAR

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1. Makhan Mandal Son of Late Hanuman Mandal
 2. Jitendra Mandal @ Jitna @ Jitua Son of Makhan Mandal Both residents of Village : Pachma, P.S. Korha, District : Katihar.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Rekha Prasad, Advocate.

For the Opposite Party : Mr. A.L.Pandit (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-10-2015 Heard the counsel for the petitioners and counsel for the State.

The petitioners are languishing in jail since 23.06.2015 in a case instituted under Sections 302 and 201/34 of the Indian Penal Code.

As per allegation, it is a case of murder of an unknown lady who is aged about 50-55 years by the accused persons.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 23.06.2015. Chargesheet has been submitted in the case. There is no allegation of tampering of evidence against the petitioners. Petitioners have got no criminal antecedent. After 35 years of the marriage, the allege occurrence is said to have taken place. Petitioner no.1 is the husband of the

deceased and petitioner no.2 is the son of petitioner no.1. There is no motive alleged against the petitioners for committing the alleged offence. There is no eye witness to the occurrence. Petitioners are not named in the FIR. In course of investigation, merely on the basis suspicion, petitioners are named in the present case.

On behalf of the State, it has been submitted that the petitioners are not named in the FIR.

Considering the aforesaid facts and circumstances, let the above named petitioners 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 CJM, Katihar in connection with Korha P.S.Case No.105 of 2015.

(Sudhir Singh, J)

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