

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22213 of 2015

Arising Out of PS.Case No. -226 Year- 2013 Thana -KHODAWANPUR District- BEGUSARAI

1. Md. Faiyaz Alam son of Md. Mokhtar alias Lal Babu resident of village -
Shahpur, Police Station - Khodabandpur, District Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

with

Criminal Miscellaneous No.41165 of 2015

Arising Out of PS.Case No. -226 Year- 2013 Thana -KHODAWANPUR District- BEGUSARAI

1. Manoj Yadav @ Manoj Kumar, Son of Sri Satya Narayan Yadav,
resident of of village- Bakhadda, P.S.- Khodawandpur (Chhaurahi O.P.),
District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.37543 of 2015

Arising Out of PS.Case No. -226 Year- 2013 Thana -KHODAWANPUR District- BEGUSARAI

1. Arun Kumar Singh @ Arun Mahto son of late Ram Sakha Singh resident
of village - Chhautahi, P.S. - Khodawandpur (Chhaurahi O.P.), District -
Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :
(In Cr.Misc. No.22213 of 2015)
For the Petitioner/s : Mr. Satish Chandra
For the Opposite Party/s : Mr. Mukesh Kr.Singh(App)
(In Cr.Misc. No.41165 of 2015)
For the Petitioner/s : Mr. Yogesh Kumar
For the Opposite Party/s : Mr. J.N.Thakur(App)
(In Cr.Misc. No.37543 of 2015)
For the Petitioner/s : Mr. Md. Hussamuddin Azad

For the Opposite Party/s : Mr. Smt.Pushpa Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

03/ 08.10.2015

All the above stated petitions arise out of Khodawandpur (Chhaurhi) P.S. Case no. 226/2013 registered under sections 302, 120B/34 of the Indian Penal Code and accordingly, all the above stated petitions are being disposed of by this common order.

Heard learned counsel for the petitioners as well as learned Addl. Public Prosecutor for the State.

Informant lodged the present case against unknown and specifically stated that while her husband was standing at near Deepak Mobile Plaza after taking meal, one white colour vehicle dashed him and subsequently, she came to know that white colour Scorpio bearing registration no. BR 09M 4228 was standing in the premises of one Bangali Mahto and it would appear from perusal of the case diary that the aforesaid white colour Scorpio was seized by the Investigating officer but when further statement of the informant and some other witnesses were recorded, informant claimed that one Bolero had dashed her husband and furthermore, informant stated that the petitioner in Cr. Misc. no. 41165/2015, having entered into conspiracy, got eliminated her husband with the help of other accused.

Para 29 of the case diary reveals that in course of investigation, Investigating officer collected blood stained earth from the place of occurrence as well as from seized Scorpio and it came to light that seized Scorpio was of one Rajesh Ranjan but the aforesaid Scorpio was being used by a circle officer.

Learned counsel for the petitioners submitted that, as a matter of fact, informant, in collusion with police, implicated petitioners in this case with intent to exonerate the real culprits as well as to take revenge from the petitioners due to political rivalry.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the above named petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Begusarai/ concerned court in Khodawandpur (Chhaurhi) P.S. Case no. 226/2013.

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(Hemant Kumar Srivastava,J)

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