

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19227 of 2015

Arising Out of PS.Case No. -9 Year- 2015 Thana -DESARI District- VAISHALI(HAJIPUR)

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1. Shambhu Singh @ Shambhu Nath Singh Son of Uma Shankar Singh
2. Prabhu Nath Singh Son of Uma Shankar Singh
3. Tuntun Singh Son of Uma Shankar Singh
All Resident of village - Khorampur, Police Station - Desary (O.P. - Chandpura), District - Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh

For the Opposite Party/s : Mr. Binod Kumar -Iii(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 02-11-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in connection
with Desari P.S. (Chandpura O.P.) Case No. 09 of 2015
registered for the offences punishable under Sections 302,
120(B)/34 of the Indian Penal Code.

Case diary of the present case was called for which has
since been received.

Learned counsel for the petitioners submits that the
name of these petitioners has been brought in this case merely on
suspicion only because there was some land dispute between the
parties. It is further submitted that the story as made out in the first

information report has been subsequently developed in the Punarbeyan and the petitioners have been roped in this case with malicious intent. It is further submitted that deceased was found in a bad condition at the door step of Nagina Singh and not these petitioners and therefore, there is no eye witness to the occurrence.

Learned counsel for the State while referring several paragraphs of the case diary submits that it has come during the investigation that these petitioners had threatened the deceased two days prior to the occurrence. Learned counsel for the State further points out paragraph-6 of the case diary that the story of the informant is not true and the allegation what she had made subsequent to the first information report had been planned and on the instigation of some villagers.

Considering the facts and circumstances of the case and the material which has surfaced in the case and also the fact that petitioners have no criminal antecedent, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur in connection with Desari P.S.

(Chandpur O.P.) Case No. 09 of 2015, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C..

(Anjana Mishra, J)

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