

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50052 of 2015

Arising Out of PS.Case No. -46 Year- 2015 Thana -MOHIUDDIN NAGAR District-
SAMASTIPUR

1. Tarak Nath Thakur @ Tarakh Nath Thakur Son of Late Yogendra Thakur, resident of village - Siwaisingpur, P.S. - Mohiuddin Nagar, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.51022 of 2015

Arising Out of PS.Case No. -46 Year- 2015 Thana -MOHIUDDIN NAGAR District-
SAMASTIPUR

1. Arjun Thakur, S/o Late Bhajan Thakur, Resident of Village Shivasiyapur, P.S. Mohiuddin Nagar, District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.51681 of 2015

Arising Out of PS.Case No. -46 Year- 2015 Thana -MOHIUDDIN NAGAR District-
SAMASTIPUR

1. Sunita Devi W/o Tarak Nath Thakur resident of village - Siwaisingpur, P.S. - Mohiuddin Nagar, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :
(In Cr.Misc. No.50052 of 2015)
For the Petitioner/s : Mr. Suneil Kumar Thakur
For the Opposite Party/s : Mr. A.Dayal(App)
(In Cr.Misc. No.51022 of 2015)
For the Petitioner/s : Mr. Bijay Bhushan Prasad
For the Opposite Party/s : Mr. Durgesh Nandan(App)
(In Cr.Misc. No.51681 of 2015)

For the Petitioner/s : Mr. Suneil Kumar Thakur
For the Opposite Party/s : Mr. A.Dayal(App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 14-12-2015

All the three criminal miscellaneous applications are of the same occurrence and, as such, have been heard together and are being disposed of by this common order.

Petitioners seek bail in connection with Mohiuddin Nagar P.S. Case No. 46 of 2015 registered for the offences punishable under Sections 302, 201, 120B/34 of the Indian Penal Code.

Heard learned counsel for the petitioners and learned A.P.P. representing the State.

Allegedly Chameli Devi, the grand mother of the informant became traceless and after search her dead body was found in Siwaisingpur Chaur and it is alleged that the petitioners and other co-accused after making conspiracy, have killed her after assaulting and strangulating her and threw the dead body at lonely place.

Submission is of false implication and that the informant, only on suspicion, lodged this case but after knowing the reality has filed the compromise petition in the court below and is not supporting the prosecution version vide annexure-2 and,

as such, the petitioners only on suspicion, are suffering in custody since 12.03.2015, deserve sympathetic consideration.

The learned A.P.P. after going through annexure-2 fairly submits that now the informant is retracting from his earlier version.

In the facts and circumstances stated above, the petitioners, of all the three criminal miscellaneous applications 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 Additional Sessions Judge, 2nd Samastipur arising out of Mohiuddin Nagar P.S. Case No. 46 of 2015 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 shall 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/-

U			
---	--	--	--