

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23402 of 2015

Arising out of PS.Case No. -40 Year- 2015 Thana -KOILWAR District- BHOJPUR

1. Pramod Roy, S/o Rajbali Rai, resident of village - Mahadeo Chuck, P.S. Koilwar, District – Bhojpur.
2. Pramod Rai, S/o Ram Ishwar Rai, resident of village - Narainpur, P.S. Koilwar, District – Bhojpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Manoj Kumar, Advocate.
For the Opposite Party : Mr. Manoj Kumar (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-09-2015 Heard learned counsel for the petitioners and learned counsel for the State

The petitioners are apprehending their arrest in connection with Koilwar P.S. Case No. 40 of 2015 for the offences instituted under Sections 302 and 201/34 of the IPC.

The prosecution story, in brief, is that the allegation against the petitioners is that the petitioners murdered the son of the informant and caused disappearance of the evidence alongwith other co-accused persons in this case. In this case, headless body of a person was recovered near Koilwar Station which was identified by the informant as that of his son.

It has been submitted on behalf of the petitioners that the

petitioners have got no criminal antecedent. It is further submitted that the petitioners have been made accused in the present case merely on the basis of suspicion. From perusal of the case diary, it appears that there is no direct or indirect evidence against the petitioners except for suspicion.

On behalf of the State it has been submitted that though the petitioners have been named in the F.I.R. but there is no direct evidence against them.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of four weeks from today in connection with Koilwar P.S. Case No. 40 of 2015 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhojpur at Ara, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)