

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57004 of 2015

Arising Out of PS.Case No. -85 Year- 2015 Thana -HAZIPUR INDUSTRIAL District-
VAISHALI(HAJIPUR)

- =====
1. Bipin Kumar, S/o Nageshwar Rai
 2. Dhrub Kumar, S/o Raghunath Rai
 3. Kishori Rai, S/o Lagan Rai
 4. Naresh Rai, S/o Ganga Sagar Rai
- All resident of village- Sultanpur, P.S.- Industrial Area, District-
Vaishali at Hazipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Advocate

For the Opposite Party/s : Mr. Bharat Lal (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-12-2015 Heard learned counsel for the petitioners and the
State.

The petitioners are apprehending their arrest in a
case registered for the offences punishable under Sections
302/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case is that the father of
informant was sleeping in the verandah to the Matth. On
hearing gun shot firing the informant and his family
members went to the Matth and found his father dead
with injuries on the head.

It is submitted by the learned counsel for the
petitioners that only on suspicion the accusation has been
levelled. The learned Sessions Judge has recorded the various

paragraphs of the case diary containing the statement of the brother, wife of the victim and brother-in-law, who have also raised only suspicion, but the suspicion is inconsistent with regard to the accusation against the petitioners. The post-mortem reflects only one injury. Admittedly, there is no eye witness to the occurrence and suspicion has only been raised that some threatening was given by the accused persons including petitioners prior to the occurrence. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the suspicious nature of accusation, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hazipur in connection with Industrial Area P.S. Case No. 85 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

P.K./-

U		T	
---	--	---	--