

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42846 of 2014

Arising Out of PS.Case No. -88 Year- 2014 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

1. Sujay Kumar Pandit, Son of Suresh Pandit
2. Upendra Pandit, Son of Shankar Pandit.
(Both are residents of Village - Thikahan Bankat, P.S.- Pakridayal,
District - East Champaran).

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

With

Criminal Miscellaneous No.46298 of 2014

Arising Out of PS.Case No. -88 Year- 2014 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

Binod Thakur @ Sikari, Son of Ram Ekbal Thakur, Resident of Village -
Jhauwa Ram Tola - Mandirpar Dhaka, Dist.-East Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.42846 of 2014)

For the Petitioner/s : Mr. Virendra Kuar, Advocate

For the Opposite Party/s : Mrs. Nirmala Kumari (App)

(In Cr.Misc. No.46298 of 2014)

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate

For the Opposite Party/s : Mr. Raj Kishore Singh (App)

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 22-01-2015 Both these applications arise out of Pakridayal P.S.
Case No.88/2014, as such, both have been heard together and are
being disposed of by this common order.

Heard the learned counsel for the petitioners and the

learned A.P.P. for the State.

The petitioners are in custody in a case registered for the offence punishable under Sections 302/120B of the Indian Penal Code.

It is submitted that the petitioners have not been named in the FIR. The name of accused petitioners Sujay Kumar Pandit and Upendra Pandit has appeared in the confessional statement of the co-accused Chandan Kumar, who has also not named in the FIR, whereas, the name of accused petitioner Binod Thakur @ Sikari has appeared in the confessional statement of co-accused Ravi Ranjan Kumar. Later on, the petitioners have also confessed their guilt as to how they have participated in the murder of the deceased Rajeshwar Pandit. It is further submitted that the confession has been made before the police. The petitioners have no criminal antecedent. After investigation, charge sheet has already been submitted. Cognizance has already been taken against the petitioners. There is no chance of tempering with the evidence.

Considering the facts and circumstances of the case, 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 learned Sub-Divisional Judicial

Magistrate, Sikharna, Motihari in Pakridayal P.S. Case No.88/2014 after framing of charge with the following conditions :

1. One of the bailors will be the close relative of the petitioners.
2. The petitioners will not indulge in similar or in any other offence.
3. The petitioners will be well represented in the court.
4. In case of absence for two consecutive dates or in violation of the terms of the bail, their bail bond will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

V.K. Pandey/-

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