

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40157 of 2014

Arising Out of PS.Case No. -57 Year- 2012 Thana -NAYAGAON District- BEGUSARAI

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Jitendra Singh @ Jitendra Kumar Singh son of late Sudhir Singh, resident of
village- Sihma Dih, P.S.- Matihani, District- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.47220 of 2014

Arising Out of PS.Case No. -57 Year- 2012 Thana -NAYAGAON District- BEGUSARAI

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Bhola Mishra son of Baidya Mishra resident of Village - Sihma, P.S.
Matihani, District - Begusarai.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

(In Cr.Misc. No.40157 of 2014)

For the Petitioner/s : Mr. Shubhesh Pandey, Adv.

For the Opposite Party/s : Mr. Ajay Kumar-Ii, APP

(In Cr.Misc. No.47220 of 2014)

For the Petitioner/s : Mr. Ashwani Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Vinod Shankar Modi, APP

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 09-02-2015 Both these applications arise out of Nayagaon P. S.

Case No. 57 of 2012, as such they have been heard together and
are being disposed of by this common order.

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

The accused-petitioners seek bail in a case registered

for the offence punishable under Sections 302, 201/34 of IPC.

Allegation against the petitioners is to have taken the deceased, father of the informant with other accused. The deceased did not return till 11 P.M.. Later on, his dead body was found in a dam.

It is submitted that there is no eye witness to the occurrence. It is a case of last seen. Petitioner Jitendra Singh is in custody since 22.1.2013 and petitioner Bhola Mishra is in custody since 21.12.2012. After investigation, charge-sheet has already been submitted and their case has been committed to the court of Sessions and there is no chance of tampering with the evidence.

Considering the facts and circumstances, the above named petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Begusarai /court concerned in Sessions Trial No. 407 of 2013 arising out of Nayagaon P. S. Case No. 57 of 2012 ***after framing of charge*** with following conditions:-

1. The petitioners will not indulge themselves in similar or any other offence.
2. One of the bailors must be the close relative of the

petitioners.

3. The petitioners will be well represented in the Court on each and every date and in case of absence for two consecutive dates or in case of violation of terms of bail, their bail bonds would be liable to be cancelled by the learned Court concerned.

(Amaresh Kumar Lal, J)

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