

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35195 of 2015

Arising out of PS.Case No. -168 Year- 2015 Thana -SIKARPUR District- WEST
CHAMPARAN(BETTIAH)

1. Guddu Mian, Son of Aslam Mian, resident of Sheoganj, Ward No. 6
Narkatiyaganj, P.S. Shikarpur, District - West Champaran.
2. Pathal Dewan, Son of Harun Dewan, resident of Pokhara Road, Ward
No. 7, Narkatiyaganj P.S. Shikarpur, District - West Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Surendra Kishore Thakur, Advocate.
For the Opposite Party : Mr. Jitendra Kr. Roy No.1(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-10-2015 Heard learned counsel for the petitioners and learned
counsel for the State

The petitioners are languishing in custody since
18.05.2015 in connection with Shikarpur P.S. Case No. 168 of
2015 for the offences instituted under Sections 302, 201 and
120(B)/34 of the IPC.

The prosecution story, in brief, is that on 23.04.2015 at
about 6.00 A.M., when the informant was in the agriculture
market, Narkatiyaganj, his daughter-in-law informed on his
mobile phone that the dead body of his son is lying on
Narkatiyaganj Railway Line near the Bridge. The informant after



getting information went there and found that the neck of his son has been cut by the sharp cut weapon and having also injury on his head. It is further alleged that before 3-4 days wife of Jumman Mian and her daughter have given threat that they will kill his son and on 22.4.2015 at about 9.30 P.M.(night) when the informant has called on the mobile phone of his son, his son informed that he is in a party and when at 10 P.M. the informant tried to call the cell phone on the son the same was found switched off. The informant having believe that his son has been killed by the accused persons.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. The petitioners are in custody since 18.05.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence. From perusal of FIR and the case diary, it would appear that there is no specific allegation against the petitioners. General and omnibus allegation has been made against them. There is no circumstantial evidence even to suggest the implication of these petitioners.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the

petitioners above named, be released on bail 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., West Champaran at Bettiah, in connection with Shikarpur P.S. Case No. 168/2015.

U.K./-

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

(Sudhir Singh, J)