

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38260 of 2015

Arising Out of PS.Case No. -214 Year- 2015 Thana -GAYA KOTWALI District- GAYA

- =====
1. Ponga Prasad S/O Sahdeo Prasad, R/O New Godown Pahsi,
 2. Raushan Kumar S/O Nawal Kishore Prasad, R/O Ramdhanpur, Both
P.S- Kotwali, District- Gaya

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Mr. Nand Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-10-2015 Heard the counsel for the petitioners and counsel for the

State.

The petitioners are languishing in jail since 04.06.2015
in a case instituted under Sections 147,148,149,323,302 and 379 of
the Indian Penal Code and Section 27 of the Arms Act.

As per allegation, it is a case of murder of one Gautam
Kumar by the accused persons due to earlier enmity between the
parties for which there was a case against the accused persons.

It has been submitted on behalf of the petitioners that
the petitioners are in custody since 04.06.2015. Chargesheet has
been submitted in the case. Petitioners have got no criminal
antecedent. The main allegation is against one Ranjan Yadav who
is alleged to have fired upon the deceased causing his death. As far

as the petitioners are concerned, there is general and omnibus allegation against them. No specific allegation has been attributed against them.

On behalf of the State, it has been submitted that the petitioners are named in the FIR.

Considering the aforesaid facts and circumstances, let the above named petitioners 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 learned CJM, Gaya in connection with Kotwali P.S.Case No.214 of 2015.

It is directed that the court below shall verify the antecedent of the petitioners, if the court below comes to the finding that there is no criminal antecedent of the petitioners, then only the bail bond of the petitioners should be accepted.

(Sudhir Singh, J)

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