

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28349 of 2015

Arising Out of PS.Case No. -52 Year- 2014 Thana -JAGDISHPUR
District- BHAGALPUR

1. Prasadi Prasad Singh @ Prashadi Mandal Son of Kuldip Mandal
Resident of Village - Angari, P.S. Jagdishpur, District - Bhagalpur
2. Brahamdeo Prasad Singh Son of Late Udho Singh Resident of Village -
Kamalpur, P.S. Sajour, District Bhagalpur. Petitioner.

Versus

The State of Bihar. Opposite Party.

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh (A.P.P.)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 16-10-2015 Heard learned counsel for the petitioners as well as the learned
A.P.P.

The petitioners seek bail in a case for the offences punishable
under Sections 302/120 (B) of I.P.C. and 27 Arms Act.

When mother of the informant went to Basa found the dead
body of Badri Mandal, father of the informant having bullet injuries on the
head and blood was spread over the bed and also on the ground and it is
claimed that the petitioners and other co-accused having land dispute killed
the deceased. Further, about 10 days ago of the occurrence, the petitioner no.
2 and other co-accused have caused threats not to plough the land of Prasadi
Mandal.

Submission is of false implication due to suspicion and in
post-mortem report only two injuries have been found whereas there are
altogether 8 accused persons and no specific allegation has been
attributed against anyone. The witnesses examined during investigation have

only supported version of F.I.R. and as such, the petitioners, who are suffering in custody since 27.03.2015 and 18.05.2015 respectively deserves sympathetic consideration.

The learned A.P.P. fairly submits that there is no eye witness to the occurrence.

In the facts and circumstances stated-above, the petitioners are directed to 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 C.J.M., Bhagalpur in connection with Jagdishpur P.S. Case No. 52 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J.)

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