

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16265 of 2015

Arising Out of PS.Case No. -126 Year- 2014 Thana -MAHISI District- SAHARSA
=====

1. Anil Mukhiya Son of Nasib Mukhiya, Resident of village- Jhitki, P.S.- Mahishi, District- Saharsa (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
=====

with

Criminal Miscellaneous No.18118 of 2015

Arising Out of PS.Case No. -126 Year- 2014 Thana -MAHISI District- SAHARSA
=====

1. Chalitar Mukhiya @ Chalittar Mukhiya son of Jhulan Mukhiya @ Jholan Mukhiya resident of village- Jhitki, P.S. Mahishi, District- Saharsa,

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
=====

Appearance :

(In Cr.Misc. No.16265 of 2015)

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Nityanand(App)

(In Cr.Misc. No.18118 of 2015)

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mr. Ajit Kumar(App)
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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-06-2015

Heard learned counsel for the petitioners and learned

A.P.P.for the State.

The petitioners are languishing in jail since 29.7.2014 in connection with Mahishi P.S. Case No.126 of 2014 for the offences instituted under Sections 302/201/120B of the Indian

Penal Code.

The prosecution story, in brief, is that one Rajaram Mukhiya gave fardbayan on 27.7.2014 at 13.00 hours before the Sub-Inspector of Police, Mahishi Police Station that the uncle of the informant, namely, Tribeni Mukhiya has illicit relationship with the mother of co-villager Chandra Shekhar Mukhiya, namely, Radha Devi and for the said reason several villagers by hatching criminal conspiracy contacted with his uncle on mobile and called him in lonely place on 25.7.3024 at 4 P.M. and since then his uncle is missing. In the course of search, it came to notice that one dead body of a person is lying in Roiya Chap then he came with his villagers on 27.7.2014 at about 11.30 A.M. and identified the dead body as his uncle.

It is submitted on behalf of the petitioners that there is no eye witness to the occurrence and the petitioners have been falsely implicated in this case only on the basis of suspicion. Further it has been contended on behalf of the petitioner that the other co-accused persons have been granted bail by this Court vide Cr. Misc. Nos.44135/2014, 453/2015 and 1344 of 2015. It is further submitted that the petitioners have got no criminal antecedent.

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

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa in connection with Mahishi P.S. Case No.126 of 2014.

(Sudhir Singh, J)

V.P.Sinha/-

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