

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43194 of 2014

Arising Out of PS.Case No. -192 Year- 2014 Thana -BUXAR District- BUXAR

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Md. Mushlim @ Sugnu @ Sugnua, S/o Md. Nashim Ansari, R/o Village -
Koirpurwa, P.S. - Buxar (T), District - Buxar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.51455 of 2014

Arising Out of PS.Case No. -192 Year- 2014 Thana -BUXAR District- BUXAR

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Jiauddin @ Jauwa, S/o Riyazudin Ansari, Resident of Mohalla Koirpurwa,
P.S. Buxar (T), District Buxar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In Cr.Misc. No.43194 of 2014)

For the Petitioner : Mr. Bachan Jee Ojha, Adv.

For the Opposite Party : Mr. Binod Kumar 3(APP)

(In Cr.Misc. No.51455 of 2014)

For the Petitioner : Mr. Arun Kumar Gupta, Adv.

For the Opposite Party : Mr. Surendra Kumar (APP)

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

3 03-03-2015

These two applications are filed with a prayer to grant bail to the respective petitioners. The petitioners figured as accused in Buxar (T) P.S. Case No.192 of 2014. The allegation against the petitioners is that along with other persons they caused the death of one Alok Kumar Gupta on 18.4.2014. The petitioners moved for bail in

Sessions Trial No.305 of 2014 which was rejected. Hence, they have approached this Court for bail.

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

The complaint in the case was submitted by the wife of the deceased. However, she is not an eye-witness, and she proceeded to the place where her husband was lying dead and she named the petitioners and another person on the basis of suspicion. The motive is said to be that the deceased owed a sum of Rs.500.00 of one of the assailants in respect of playing cards and when the same was not returned he was put to death. The truth or otherwise of the allegations need be examined in the trial. They are already in jail since April, 2014. The investigation was completed and charge-sheet was filed. Therefore, I am of the view that the petitioners deserve to be granted bail. The petitions are allowed.

The petitioners are directed to be released on bail upon furnishing the bail-bonds of Rs.10,000/- (ten thousand) each along with two sureties of the like amount each to the satisfaction of A.D.J. 1st, Buxar and Addl. Sessions Judge, VII, Buxar respectively, in Sessions Trial No.305 of 2014 arising out of Buxar (T) P.S. Case

No.192 of 2014, subject to the condition that they shall report to the concerned police station between 10:00 a.m. and 11:00 a.m. on 1st Saturday of every month. If the petitioners fail to report the police station for two consecutive terms, the bail bond shall stand cancelled.

(L. Narasimha Reddy,CJ)

K.C.jha/-

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