

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45761 of 2014

Arising Out of PS.Case No. -76 Year- 2014 Thana -JAMALPUR District- MUNGER

1. Sonu Kumar Son of Late Phari Paswan
2. Monu Kumar @ Monu @ Rohit Kumar Son of Late Phari Paswan
Both are resident of Gayatri Nagar, Gali No. 4, Jamalpur, P.S. - Jamalpur,
District- Munger.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh
For the Opposite Party/s : Mr. Pramod Kr.Panday(APP)

CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

3. 22-05-2015 Heard learned counsel appearing on behalf of son of the deceased and learned counsel for the petitioners. The two petitioners are brothers and they have been charge-sheeted under section 304 of the Indian Penal Code.

Originally, the First Information Report was instituted under Sections 302, 201/34 of the Indian Penal Code. The allegation is that a dead body was found abandoned and wrapped in a bed-sheet and concealed in a sack. On an enquiry, police found that father of the petitioners had called the deceased Arun Singh who was a Tantrik to perform rituals for good health of his daughter i.e. sister of the petitioners. They found that the said Tantrik locked the girl in a room in their house and was trying to rape. After seeing this heinous incident, petitioners assaulted the Tantrik thereafter who died.

Learned counsel appearing on behalf of

son of the deceased points out that the girl has admitted that his father, the Tantrik, was killed by her family members as per statement recorded under Section 164 of the Cr.P.C. What he did not point out in her statement that she was being raped by the Tantrik and her brothers and parents were assaulted the Tantrik.

Be that as it may, in the event of their arrest/surrender before the court below within four weeks, let the above named petitioners, namely, Sonu Kumar and Monu Kumar @ Monu @ Rohit Kumar, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Munger, in connection with Jamalpur P.S. Case No. 76/2014, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Navaniti Prasad Singh, J.)

Rajeev/-

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