

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22227 of 2015

Arising Out of PS.Case No. -28 Year- 2015 Thana -BUXAR MUFFSIL District- BUXAR

1. Paras Rajbhar @ Mukhiya Ji Son of Vansh Narayan Rajbhar Resident of Village - Sonpa Jalilpur, P.S. - Rajpur, District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

with

Criminal Miscellaneous No.23173 of 2015

Arising Out of PS.Case No. -28 Year- 2015 Thana -BUXAR MUFFSIL District- BUXAR

1. Mahangu Rajbhar
2. Jokhu Rajbhar Both S/o Ramdhan Rajbhar Resident of Village Sonpa, Jalilpur, Police Station Rajpur, District Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.22227 of 2015)

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Rana Randhir Singh(App)

(In Cr.Misc. No.23173 of 2015)

For the Petitioner/s : Mr. Anil Kumar Roy

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

3 10-09-2015

Heard both sides.

The petitioners seek bail in a case registered for the offences punishable under sections 302, 201 and other allied sections of the Indian Penal Code.

Brother of the deceased alleged that his brother

Raja Choudhary married with Pushpa Kumari, daughter of Mahangu Rajbhar and went to Bangaluru but the accused persons brought his brother Raja Chaudhary and Pushpa Kumari on one pretext or the other and they killed Raja Chaudhary and threw his dead body.

It is submitted that there is no eye witness of the occurrence. The informant himself is a hearsay witness. None of the witnesses in the entire case diary disclosed the fact about the eye witnesses of the occurrence. They all are hearsay witnesses. The case was registered only after recovery of the dead body.

Learned Additional Public Prosecutor did not dispute the facts aforesaid.

Considering the fact that the entire case is based on hearsay witnesses, the petitioners above named are directed to be enlarged 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 learned Chief Judicial Magistrate, Buxar in connection with Buxar (M) P.S. Case No. 28 of 2015.

(Prabhat Kumar Jha, J)

Amin/-

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