

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9627 of 2016

Arising Out of PS.Case No. -243 Year- 2014 Thana -BARACHATTI District- GAYA

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1. Anil Das son of Tileshwar Rabidas
 2. Rambilash Das son of Fagu Das both petitioner no. 1 and 2 are Resident of village- Rampur, P.S.- Mohanpur, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar
For the Opposite Party/s : Mr. Anish Chandra(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 04-05-2016 Heard the learned counsel for the petitioners as well as the learned A.P.P for the State.

The petitioners seek bail in a case for the offences punishable under sections 302, 201 and 34 of the I.P.C

Allegedly, on the basis of the fardbeyan of chaukidar Akhtar Hussain this case has been registered after recovery of a dead body of the female and during investigation the dead body was identified as of Mamta Devi, second wife of Jagjiwan Das. It also transpires that the petitioners and others were seen going with the motorcycle prior to the date of occurrence and they have killed the second wife of Jagjiwan Das.

Submission is of false implication and that besides suspicion there is nothing against the petitioners, the petitioners have been made victim of the circumstances, it is alleged that they

were involved in the Panchayati, no one has seen the petitioners killing the deceased and without any material they are suffering in custody since 24.11.2015.

The learned A.P.P. opposes prayer for bail by submitting that witness Rajendra Sharma has seen the petitioners and others going with the motorcycle.

In the facts and circumstances as stated above, the petitioners are directed to 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 A.C.J.M. Sherghati, Gaya in Barachatti (Mohanpur) P.S. Case No. 243 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 their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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