

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12979 of 2016

Arising Out of PS.Case No. -24 Year- 2010 Thana -KOCHAS District- SASARAM (ROHTAS)

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1. Sijay Musahar @ Sheojee Musahar
 2. Vijay Musahar Both sons of Jhagru Musahar, resident of village-Binpurwa, P.S.- Ramgarh, District- Kaimur (Bhabua)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Nandan Sahay

For the Opposite Party/s : Mr. Ram Chandra Singh (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 31-03-2016 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners are not named in the first information report and the learned court below has mentioned in its impugned order dated 11.02.2016 that in course of investigation, witnesses claimed the involvement of the petitioners in the alleged crime. To verify the aforesaid finding, learned court below referred some paragraphs of the case diary but did not disclose as to how the involvement of the petitioners was found in the alleged crime. Moreover, in para-8 of the petition, the petitioners disclosed the material, which came in paragraphs -19 and 123 of the case diary, and it would appear from perusal of para-8 of the petition that the

witnesses claimed to have heard the name of petitioners in course of conversations of culprits, while they were going after committing the alleged occurrence. It appears that except the aforesaid material, there is nothing against the petitioners, who are languishing in jail custody since 14.09.2015

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Rohtas at Sasaram in connection with Kochas (Parsathua) P.S.Case No. 24 of 2010.

(Hemant Kumar Srivastava, J)

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