

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22469 of 2016

Arising Out of PS.Case No. -138 Year- 2014 Thana -BIRPUR District- SUPAUL

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1. Abdul Alim @ Md. Alim Son of Md. Ahshan
 2. Md. Yusuf, Son of Abdul Kasim
- Both are resident of Village- Padampur, P.S.- Birpur, Dist- Supaul.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioners : Mr. Shailendra Kumar Singh, Advocate
For the Opposite Party : Mr. Tapeswar Sharma, APP.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-08-2016

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

The petitioners are languishing in custody since
15.02.2016 in connection with Birpur P. S. Case No. 138 of 2014
for the offences instituted under Sections 302 and 201/34 of the
Indian Penal Code.

The prosecution story, in brief, is that a local
chaukidar received information on 15.07.2014 that a dead body
of an unknown female is laying in the back of Thalha Dhar. After
getting this information, he reached at the spot and tried to
enquire into the above incident, but the dead body could not be
identified.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 15.02.2016. Charge sheet has been submitted in the present case. Petitioners have got no criminal antecedent. There is no allegation of tampering with the evidence against the petitioners. The petitioners are not named in the F.I.R. The father of the deceased has named the petitioners after five months. There is no eye witness to the alleged occurrence. Merely on suspicion, the petitioners have been made accused in the present case. Other co-accused has been granted bail by this Court vide Cr. Misc. No. 14838 of 2016.

On behalf of the State, it has been submitted that the petitioners are not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released 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 Additional Chief Judicial Magistrate, Birpur (Supaul) in connection with Birpur P. S. Case No. 138 of 2014.

(Sudhir Singh, J.)

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