

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2607 of 2016

Arising Out of PS.Case No. -124 Year- 2015 Thana -UJIYARPUR District- SAMASTIPUR

- =====
1. Shambhu Das, S/o Triveni Das
 2. Triveni Das, S/o Rameshwer Das, Both are residents of Village - Ram Nagar Tola, P.S. - Ujiarpur, District - Samastipur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1, Advocate

For the Opposite Party/s : Mr. Md.Nazir Ansari, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 18-03-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Ujiarpur P.S. Case No. 124 of 2015 for the offences instituted under Sections 302, 201 and 120B of the Indian Penal Code.

The prosecution story, in brief, is that the informant has alleged in his fardbeyan that on 17.07.2015 his son has come at his house from his shop but again he returned back on call on his mobile, time to time he used to come in late night due to work of his shop. He has further alleged that on the next day i.e. on 18.07.2015, one person came and informed that something has been happened. On such information, informant went there, where



he saw the dead body of his son was lying and it appears that due to assault on his chest, he died. He also alleged that his son was doing some black magic and some time he used to visit at the house of one Shambhu Das, which was objected by Shambhu Das and his father Triveni Das as to why he came in their absence and they have filed an application before the Sub Divisional Judicial Magistrate, Dalsingsarai, alleging therein that deceased has illicit relation with daughter-in-law of Triveni Das. He also alleged that the informant claims that due to the said illicit relation, the accused persons have killed him.

It has been submitted by the petitioners that the petitioners have got no criminal antecedent. Petitioners have been made accused merely on the basis of suspicion. There is no direct or indirect evidence against the petitioners. There is no circumstantial evidence to suggest their implication in the present case.

On behalf of the State, it is submitted that the petitioners are named in the First Information Report.

Considering the aforesaid facts and circumstances, let the petitioners above-named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Ujiarpur P.S.

Case No. 124 of 2015 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 Sub Divisional Judicial Magistrate, Dalsingsarai, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Vats/-

U		T	
---	--	---	--