

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57974 of 2015

Arising Out of PS.Case No. -245 Year- 2015 Thana -KUDRA District- BHABHUA (KAIMUR)

1. Madhuri Mushar Son of Late Hiranman Mushar
2. Ram Pyare Mushar Son of late Heera Mushar
3. Ram Singhasan Mushar Son of Bhajan Mushar All Resident of Village -
Sankhwa, P.S.- Sonhan, District - Kaimur, Bhabua

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Kumar

For the Opposite Party/s : Mr. Bhanu Pratap Singh(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 17-02-2016 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners seek bail in connection with Kudra P.S. Case
No. 245 of 2015 registered for the offences punishable under Sections
364, 302 and 379/34 of the Indian Penal Code.

Allegedly, the clerk and guard of brick kiln were taken
away by the miscreants and further they took away five mobiles of the
informant and others and later on the dead body of the clerk Dina
Britha and guard Dadan Singh Yadav were found in the garden of
Guddu Singh. The petitioners are not named in the FIR, their names
transpired in the confessional statement of cc-accused Pramod Mushar
who was apprehended on the basis of call details and further from his
possession one mobile was recovered. The petitioners were
apprehended and they also confessed their guilt.

Submission is of false implication and that against the petitioners besides confessional statement of co-accused and the petitioners there is nothing against them, there is no legal and cogent material and they are suffering in custody since 15.09.2015 as such they deserve sympathetic consideration to which the learned APP fairly submits that the name of the petitioners have come in the confessional statement of co-accused and thereafter, the petitioners have also confessed their guilt.

In the facts and circumstances stated above, considering the period of detention, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhabhua in connection with Kudra P.S. Case No. 245 of 2015, 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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