

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48726 of 2015

Arising Out of PS.Case No. -482 Year- 2015 Thana -KHAGARIA District- KHAGARIA

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1. Santosh Chourasia Son of Nand Kishore Chourasia
2. Nirdosh Chourasia Son of Nand Kishore Chourasia Both residents of
Village- Navtolia Mathurapur, P.S.- Khagaria, District- Khagaria

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ram Sumiran Rai, Advocate

For the State : Mr. Nityanand Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-02-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Khagaria P.S. Case No.482 of 2015 for the offences instituted under Sections 302 and 120(B) of the Indian Penal Code.

The prosecution story, in brief, is that informant Rajeev Kumar has Gaddi of grain at village Mathurapur Navtolia. On 18.7.2015 the informant went to his house at 6.30 P.M. Further in the night between 18.7.2015 and 19.7.2015 the unknown culprits have committed murder of Ajay Kumar Sah and Lalan Kumar alias Lalo, the assistants of the informant at village Mahurapur Navtolia. On 19.7.2015 at 6.00 a.m. the informant



received information about murder of his assistants and then the F.I.R. has been lodged by him. It is also mentioned in the F.I.R. that the informant has dispute of land and money with petitioner Santosh Chaurasia and Sabita Devi. The informant has shown suspicion against the petitioners Santosh Chaurasia and Nirdosh Chaurasia that they would have committed the offence of their murder.

It is submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. It is further submitted that the petitioner has been named in the present case merely on the basis of suspicion. There is no direct or indirect evidence against the petitioners. No circumstantial evidence is to suggest his implication in the present case. During course of investigation, one Chintu Kumar confessed his guilt and disclosed the name of the petitioners and others except for the confession of a co-accused and suspicion, there is no other material against the petitioners in the case diary. The other co-accused have been granted bail vide Cr. Misc. No.44988 of 2015.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of arrest or surrender in

the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Khagaria, in connection with Khagaria P.S. Case No.482 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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