

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31898 of 2016

Arising Out of PS.Case No. -99 Year- 2012 Thana -GOPALPUR District- BHAGALPUR

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1. Nilam Devi alias Smt. Neelam Devi Wife of Mantu Sharma, Resident of village- Kap, P.S. Mohanpur, District Purnea
 2. Maheshwar Sharma Son of Brahamdev Sharma, Resident of village- Kalindi Nagar (Kalu Chak), P.S. Gopalpur, District Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-09-2016 Heard learned counsel for the petitioners and the State.

The petitioners seek bail in a case instituted for the offences under Sections 376, 302 and 201/34 of the I.P.C.

The prosecution story, in brief, is that on the alleged date and time of occurrence some unknown miscreants committed rape on the daughter of the informant and thereafter committed her murder. The informant identified the dead body of his daughter lying in a maize crop field.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 14.05.2016 and 31.12.2015 respectively and the charge sheet has been submitted in the present case. The petitioners have got no criminal antecedents.

There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners are not named in the F.I.R. The name of the petitioners has come in the confessional statement of the co-accused. As per paragraph 28 of the case diary, the main allegation is against the co-accused Biro Choudhary. No overt act has been alleged against the petitioners. The other co-accused has been granted bail vide Annexure-2 to the present application.

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

Considering the aforesaid facts and circumstances, it is directed that 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 learned A.C.J.M., Naugachia, Bhagalpur in connection with Gopalpur P.S. case No.99 of 2012 (G.R. No.444 of 2012).

(Sudhir Singh, J)

Narendra/-

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