

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24653 of 2016

Arising out of PS.Case No. -170 Year- 2015 Thana -JANDAHA District- VAISHALI(HAJIPUR)

1. Pramod Kumar Rai, S/o Lal Babu Rai alias Lalo Rai.
2. Shiv Kumar Rai, s/o Late Shyam Chandar Rai. Both residents of Village Mahisar, P.S. Jandaha, District- Vaishali.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Md. Shahnawaz Ali, Advocate.
For the Opposite Party : Mrs. Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-08-2016 Heard learned counsels for the petitioners, informant and learned counsel for the State.

The petitioners are languishing in custody since 27.08.2015 in connection with Jandaha P.S. Case No. 170 of 2015 for the offences instituted under Sections 376, 302 and 201/34 of the IPC.

The prosecution story, in brief, is that the petitioners alongwith two unknown persons have committed murder of the informant's *Bhabho*, Rekha Devi, by pressing her neck after committing rape with her and for the purpose of conceal the evidence they threw the dead body in the Maize field.

It has been submitted on behalf of the petitioners that the

petitioners are in custody since 27.08.2015 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioners. The petitioners have got no criminal antecedent. They have been named in the F.I.R. on the basis of suspicion. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest their implication in the present case. Vide Annexure-2, other co-accused has already been granted bail by this Court.

On behalf of the learned counsels for the informant and the State it has been submitted that the petitioners are 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 C.J.M., Vaishali at Hajipur in connection with Jandaha P.S. Case No. 170 of 2015.

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(Sudhir Singh, J)