

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21852 of 2016

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1. Bulbul Mandal
 2. Bikash Mandal Both sons of Chedan Mandal resident of Village-Karsop PS Shambhuganj, District Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha

For the Opposite Party/s : Mr. Smt. Pushpa Sinha No.2(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 05-07-2016 Heard the learned counsel for the petitioners as well as the learned A.P.P for the State.

The petitioners seek bail in a case for the offences punishable under sections 302 and 201/34 of the I.P.C

Allegedly, the petitioners earlier have caused threats to kill the father of the informant if he would not withdraw the case and thereafter the dead body of father of the informant was found thrown in Kaitha Bahiyar near Nath Baba Asthan by the side of the road. The informant claimed that the petitioners have killed his father and threw the dead body.

Submission is of false implication due to the previous enmity and the land dispute, from earlier criminal case is going on between the parties, the informant is not an eye witness of the

occurrence and further during investigation also no eye witness has come forward to state regarding the actual killing and further no one has seen the petitioners in the company of the deceased before his death and without any fault they are suffering in custody since 05.02.2016, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. submits that the petitioners are named in the First Information Report.

In the facts and circumstances as stated above, the petitioners are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of S.D.J.M. Banka in Shambhuganj P.S. Case No. 91 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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