

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11713 of 2016

Arising Out of PS.Case No. -70 Year- 2015 Thana -SIDHWARA District- DARBHANGA

1. Mohan Yadav, son of Shibji Yadav
2. Tula Sahani, son of Ram Prasad,
3. Raj Kishore Sahani, son of Ram Prasad Sahani,
All are resident of Village Atarbel, P.S. Singhwara, District Darbhanga.
..... Petitioner/s

Versus

The State of Bihar
..... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Saroj Kumar, Advocate.
For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 23-06-2016 Heard both sides.

The petitioners, namely, Mohan Yadav, Tula Sahani and Raj Kishore Sahani, apprehend their arrest in a case under Section 302 and other sections of the Indian Penal Code.

The informant alleged that the petitioners killed his cousin by slitting his neck. It is submitted that the informant is not an eye witness of the occurrence. On perusal of the entire case diary, it would appear that there is no eye witness of the occurrence. The informant said that he came to know that the petitioners slit the neck of the deceased but he did not disclose the name of any person from whom he came to know about the killing of his cousin by the petitioners.

It appears from perusal of the case diary that none of

the witnesses is eye witness of the occurrence. Save and except suspicion, the investigating officer did not collect any tangible material against the petitioners.

Considering the facts aforesaid, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged 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 Sri B.K. Singh, Judicial Magistrate, 1st Class, Darbhanga in Singhwara P.S. Case No. 70/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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