

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16003 of 2016

Arising Out of PS.Case No. -50 Year- 2015 Thana -HATHAURI District- MUZAFFARPUR

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1. Vijay Rai Son of Chandeshwar Rai
 2. Satyendra Rai Son of Late Rajendra Rai
 3. Kailash Rai @ Kalash Rai Son of Sikandar Rai
 4. Shyam Sundar Mandal Son of Narayan Mandal
 5. Krishna Mandal Son of Deo Narayan Mandal All residents of village - Asmanpur, P.S.-Hathauri, Dist.-Muzaffarpur

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Vijay Kumar Singh, Advocate
For the Opposite Party : Mr. R.P.S Singh (App)

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 23-05-2016 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in a case registered for offences punishable under Sections 302/34 of the Indian Penal Code.

It is contended on behalf of the petitioners that they have been named in the First Information Report merely on the basis of suspicion as no material has been collected as yet during the course of investigation indicating the petitioners' involvement in the commission of crime. The death of the deceased is said to be due to asphyxia. It is further contended that



the supervision note of the D.S.P. shows that the materials collected during the course of investigation indicate towards illicit relationship between the informant and Dilip Rai due to which a Panchayati was held and the informant, in fact, has stated that she wanted to leave the house of the deceased. It has been stated that there are some materials against the aforesaid Dilip Rai and Santosh, therefore, they should be made accused. So far as these petitioners are concerned, nothing could be collected during the course of investigation but it is indicated that further investigation is required.

Having regard to the facts and circumstances of the case, let the petitioners, namely, Vijay Rai, Satyendra Rai, Kailash Rai @ Kalash Rai, Shyam Sunder Mandal and Krishna Mandal, be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Hathauri P.S. Case No. 50/2015, on furnishing bail bond of Rs.10,000(Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of Shri Santosh Kumar, J.M. 1st class, Muzaffarpur subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

The petitioners would be required to cooperate

with the investigation of the case, failing which it would be open for the prosecution to take steps for cancellation of their bail bonds.

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(Dr. Ravi Ranjan, J)