

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29403 of 2016

Arising Out of PS.Case No. -11 Year- 2016 Thana -LAURIYA District-
WESTCHAMPARAN(BETTIAH)

Sudhir Kumar Pandey son of Anil Kumar Pandey, resident of Village-
Bhairoganj, Police Station- Bhairoganj, District- West Champaran at
present resident of Village- Narkatiaganj Pandey Tola Ward No.22, Police
Station- Shikarpur, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

With

Criminal Miscellaneous No.29707 of 2016

Arising Out of PS.Case No. -11 Year- 2016 Thana -LAURIYA District-
WESTCHAMPARAN(BETTIAH)

Devanand Ram @ Devu Son of Rabindra Ram, resident of Village -
Purainiya Mishri Tola, P.S. - Shikarpur, District - West Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

With

Criminal Miscellaneous No.30740 of 2016

Arising Out of PS.Case No. -11 Year- 2016 Thana -LAURIYA District-
WESTCHAMPARAN(BETTIAH)

Garav Kumar Pandey Son of Mritunjay Pandey, Resident of Village: D.K.
Shikarpur, P.S. Shikarpur District West Champaran, Bettiah.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.29403 of 2016)

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

(In Cr.Misc. No.29707 of 2016)

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

(In Cr.Misc. No.30740 of 2016)

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Nityanand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-09-2016 Heard learned counsel for the petitioners, the State and the informant.

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

The prosecution story, in brief, is that on 23.1.2016 one Raju Kumar of Narkatiyaganj informed the informant about laying a dead body of Dipu Kumar on Lauriya-Narkatiyaganj road, then the informant went at the place of occurrence where dead body was laying and large number of people was present there. The informant alleged that some unknown miscreants might have killed his son by pressing the neck.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 28.4.2016 and the charge sheet has been submitted in the present case. 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 on the basis of suspicion. Later on two witnesses, whose statements have been recorded in paragraphs 132 and 133 of the case diary, claim to be the eye witnesses on the point of last seen.

They are alleged to have identified the petitioner Sudhir Kumar Pandey between 11-12 in the night. Source of identification has not been disclosed by the said witness. There is no chain of circumstantial evidence to suggest the implication of the petitioners in the present case. There is no eye witness in the present case.

On behalf of the State and the learned counsel for the informant, it is submitted that though the petitioners' name has come in course of investigation and strong motive has been alleged against them.

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 1st Additional Chief Judicial Magistrate, Bettiah, District West Champaran in connection with Lauriya P.S. case No.11 of 2016.

(Sudhir Singh, J)

Narendra/-

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