

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41689 of 2016

Arising Out of PS.Case No. -64 Year- 2016 Thana -JANTA BAZAR District- SARAN

- =====
1. Punit Rai son of late Kapil Rai,
2. Madan Mohan Rai son of Rameshwar Rai, Both are residents of village-
Khurd Lauwan, Police Station- Janta Bazar, District- Saran (Chapra).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 24-11-2016 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners seek bail in a case initially, registered under
Sections-364/34 but later on it was modified as under Section-
302/201 of the Indian Penal Code.

Petitioners are named in the first information report but
only suspicion was raised against them on account of previous
enmity. It is specific case of the prosecution that it was co-accused
Shailendra Rai, who called the deceased. The dead body of
deceased was recovered from a graveyard, which is said to have
been situated at a distance of 300 metres from house of the
petitioners. Moreover, in course of investigation, some witnesses
only claimed to this extent that they had seen the petitioners

standing near an Anganwari centre and furthermore, the I.O. collected the CDR and claimed that petitioners had talked with the deceased and Shailendra Rai, prior to the alleged occurrence.

Submission on behalf of petitioners is that even if, the aforesaid materials assumed to be true, then also, except suspicion, there is nothing against petitioners.

Although learned counsel, appearing for the informant opposed the prayer but considering the above-said facts and circumstances of the case as well as submission of the parties, let the petitioners named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Janta Bazar P.S. Case No. 64 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Chapra, District-Saran.

(Hemant Kumar Srivastava, J)

A.K.V./-

U		T	
---	--	---	--