

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47244 of 2015

Arising Out of Sanokhar (Amdanda) PS.Case No. -72 Year- 2015 Thana -SANOKHAR District-
BHAGALPUR

- =====
1. Sethlal Hansda @ Seth Lal Hasda S/o Tetai Hansda
 2. Tetai Hasda Son of Late Bhaibo Hansda Both Resident of Village-
Ghutiyan P.S. Amdanda District Bhagalpur.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Shiwesh Chandra Mishra, Advocate.

For the Opposite Party : Mr. Shailendra Kumar-II(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 03-03-2016

Heard learned counsel for the petitioners and

learned A.P.P. for the State.

Petitioners apprehend their arrest in connection with Sanokhar (Amdanda) P.S. Case No. 72 of 2015 registered for offences punishable under Sections 302/34 of the Indian Penal Code and under Section 27 of the Arms Act.

The prosecution case is that on 08.07.2015 at about 8.30 A.M., the informant Doman Hansda received a telephonic message that his mother was murdered and thereafter he came to his house and saw his mother dead. His mother received injury of firearms on her left ear. The informant raised suspicion that his brothers namely Mahendra Hansda, Shyam Lal Hansda, Sethlal Hansda and Tetai Hansda killed his mother.

It has been submitted by the learned counsel for the



petitioners that Mahendra Hansda is the own brother of the informant and there was a land dispute between them, hence this false allegation has been levelled against him. He further submits that they have no criminal history, no eyewitness and only on hearsay and suspicion, the petitioners have been made co-accused. Further more, it is submitted that they have no concern with the family members of the informant and no motive is assigned to have committed such an offence. He relies on various paragraphs of the case diary, Para-7, 8, 87 and 88 stating therein that none of the witnesses are eyewitness.

However, learned A.P.P. for the State submits that the petitioner is named in F.I.R. hence opposes the prayer for bail.

Be that as it may, since there is no eyewitness to the said occurrence and there is land dispute between one of the co-accused with the informant, let the petitioners above named, in the event of their arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bhagalpur in connection with Sanokhar (Amdanda) P.S. Case No. 72 of 2015,

subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Nilu Agrawal, J.)

Amit/-

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