

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22995 of 2016

Arising Out of PS.Case No. -132 Year- 2015 Thana -SISWAN District- SIWAN

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1. Tilak Mestar Son of Late Bishun Mestar
2. Dilip Mestar Son of Tilak Mestar
3. Satyendra Mestar Son of Raj Kumar Mestar
All residents of Village : Chainpur, P.S. Siswan (Chainpur O.P.), District :
Siwan. Petitioners

Versus

1. The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey
For the Opposite Party/s : Mr. Prem Kumar Jha (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 14-07-2016 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners seek bail in connection with Siswan (Chainpur O.P.) P.S. Case No. 132 of 2015 registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 302, 504 of the Indian Penal Code.

Allegedly, the petitioners and three other FIR named accused persons came and started abusing after taking drink which was opposed by Rajesh Mestar and then co-accused Raj Kumar Mestar gave knife blow causing serious injury to Rajesh Mestar and when Kishun Mestar came for rescue he was also assaulted by knife and when the informant went there she was also assaulted by knife. The injured were being brought at Sadar Hospital, Siwan Rajesh Mestar and Kishun Mestar died.

Submission is of false implication and that against the petitioners there is no specific allegation, specific allegation is against Raj Kumar Mestar for assaulting with knife to the deceased which is evident from paragraph 9 and 26 of the case diary, against the petitioners chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP fairly submits that Raj Kumar Mestar is the assailant.

In the facts and circumstances stated above, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Siswan (Chainpur O.P.)P.S. Case No. 132 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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