

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7783 of 2016

Arising Out of PS.Case No. -62 Year- 2015 Thana -RUDRAPUR District- MADHUBANI

=====

1. DUKHI PASWAN son of Bhagwat Paswan
2. Bara Babu Paswan son of Sri Dukhi Paswan
Both R/o village- Gour Andhra, P.S.- Rudrapur, district-
Madhubani..... Petitioners

Versus

The State of Bihar.... Opposite Party/s

=====

with

Criminal Miscellaneous No.8693 of 2016

Arising Out of PS.Case No. -62 Year- 2015 Thana -RUDRAPUR District- MADHUBANI

=====

1. Indrajit Paswan Son of late Ram Kumar Paswan Resident of Village-
Gour Andhra, P.s Rudrapur, District Madhubani..... Petitioner

Versus

1. The State of Bihar Opposite Party

=====

Appearance :

(In Cr.Misc. No.7783 of 2016)

For the Petitioner/s : Mr. Ram Bilash Roy Raman

For the Opposite Party/s : Mr. P.K. Jha (App)

(In Cr.Misc. No.8693 of 2016)

For the Petitioner/s : Mr. Ram Bilash Roy Raman

For the Opposite Party/s : Mr. Ajay Kumar-I(App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 20-04-2016

Above noted both applications have arisen out of one occurrence i.e. Rudrapur P.S. Case No. 62 of 2015 registered for the offences punishable under Sections 302, 379/34 of the Indian Penal Code and as such they have been heard together and are being disposed of by this common order.

Allegedly, Bachiya Devi the mother of the informant went at the house of Ram Brichh Paswan for demanding wages but she was found killed and her ornaments were also taken away.

The petitioners are named in the first information report.

Submission is of false implication and that there is no eye witness of the occurrence, witness Ramautar Sadai during investigation has stated otherwise that Sita Devi, the daughter of Ram Brichh Paswan, was taking away Bachiya Devi to her house. Moreover he is not an eye witness, similarly other witnesses are also not the eye witness, prosecution story appears not probable and reliable, the dead body has not been recovered from the house of the petitioners and as such they deserve sympathetic consideration as they are in custody since 12.07.2015.

Learned APP opposes the prayer of bail by submitting that the petitioners are named in the FIR.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, 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 Sri Manvendra Mishra, J. M. Ist Class, Jhanjharpur, Madhubani in connection with Rudrapur P.S. Case No. 62 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)

avin/-

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