

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30865 of 2017**

Arising Out of PS.Case No. -84 Year- 2017 Thana -BUXAR MUFFSIL District- BUXAR

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1. Suresh Bind @ Suresh Singh, Son of Late Kedar Bind,  
2. Homenath Bind, Son of Late Kedar Bind, Both Resident of Village-  
Jarigawa, Police Station- Buxar (Mufassil), District- Buxar.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rahul Nath

For the Opposite Party/s : Mr. Ganesh Prasad Singh

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

3      11-08-2017                      Heard learned counsel for the petitioners and learned  
APP for the State.

Petitioners are languishing in custody since 30.05.2017  
in connection with Buxar (M) P.S. Case No. 84/2017 for offences  
punishable under Section 302 and other allied Sections of the  
Indian Penal Code.

The prosecution case, as lodged by the informant, is  
that while he along with his father and brother had gone to attend  
the marriage ceremony in the family, his brother Avnish took the  
motorcycle of one Guddu Bind. While returning, the owner of the  
motorcycle found the motorcycle damaged and asked for  
compensation of Rs. 10,000/- but the informant's brother gave  
only Rs. 2,000/-, for which an altercation took place. Petitioners



along with nine other accused persons came armed with lathi, danda and when his father Shobhnath Bind came for settling the dispute, he was beaten to death by the petitioners along with other accused persons.

It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal antecedent and the incident happened on the spur of moment. He submits that no specific allegation has been levelled against the petitioners and there are general and omnibus allegations.

However, learned APP for the State opposes the prayer for bail stating therein that the witnesses have supported the prosecution case.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioners at this stage in connection with Buxar (M) P.S. Case No. 84/2017, pending in the court of learned Chief Judicial Magistrate, Buxar.

Application is, accordingly, rejected.

**(Nilu Agrawal, J)**

Rajesh/-

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