

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5997 of 2017

Arising Out of PS.Case No. -38 Year- 2015 Thana -KADIRGANJ District- PATNA

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1. Santosh Bind S/o Late Krishna Bind.
 2. Raj Kumar Bind @ Raj Kumar S/o Late Krishna Bind
 3. Ajay Bind, S/o Lakshman Bind. All are Resident of Village-Pakaura
Beldari Tola, P.S.-Kadirganj, District-Patna

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party : Mr. Ahtash Ali Khan, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 22-02-2017

Heard.

The petitioners are in custody in connection with Kadirganj P.S.Case No.38 of 2015 registered for an offence under Sections 147, 148, 149 and 302 of the IPC.

The allegation is that twelve FIR named accused persons brutally assaulted the father of the informant as a result of which he died. The informant claimed that his father has been killed on account of old enmity.

Learned counsel for the petitioners submits that there is no eye witness to the occurrence. The case has been lodged on the information of villagers who disclosed the informant about the manner of assault by the accused persons. It has further been



submitted that co-accused Akhilesh Bind and Umesh Bind @ Ganesh Kumar who are named in the FIR have been allowed anticipatory bail by this Court vide Cr.Misc.No.13470 of 2016 dated 08.04.2016. Another co-accused Harangi Bind has also been allowed regular bail by this Court vide Cr.Misc.No.7334 of 2016 dated 12.04.2016. The case of this petitioners stand on similar footing to the accused who are enjoying the privilege of bail. The petitioners (1 & 3) are in custody since 17.11.2016 and petitioner no.2 is in custody 23.11.2016.

However, learned APP opposed the prayer for bail.

Considering the nature of allegation as also the fact that similarly situated co-accused are enjoying privilege of bail, let the above named three petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Hare Ram, Judicial Magistrate, Ist Class, Masurhi, in connection with Kadirganj P.S.Case No.38 of 2015.

(Sanjay Kumar, J)

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