

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1066 of 2017

Arising Out of PS.Case No. -379 Year- 2016 Thana -BARAUNI District- BEGUSARAI

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1. Mukesh Das, son of Sagar Das.
2. Ganesh Das.
3. Mahesh Das.
4. Dinesh Das, Sons of Late Yogal Das, resident of Vill - Ashikpur, Garhara, P.S. - Barauni, Distt - Begusarai.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Raj Kumar Sinha, Advocate.

For the Opposite Party : Mr. Ram Sumiran Roy, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-02-2017 Heard learned counsels for the petitioners, informant and learned counsel for the State.

The petitioners are languishing in custody since 23.10.2016 in connection with Barauni P.S. Case No. 379 of 2016 for the offences instituted under Section 302/34 of the IPC.

The prosecution story, in brief, is that the informant's daughter, namely, Nandani Kumari, was killed by stones in Maize field. Thereafter the informant went to the house of these petitioners where he found that they were not present in their house. He also went to Asha Devi but she could not say anything. He claimed that due to land dispute, F.I.R. named accused persons



murdered his daughter and thrown her dead body at the disputed land.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 23.10.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioners. They have got no criminal antecedent. The petitioners have been named in the F.I.R. merely on the basis of suspicion. There is no circumstantial evidence or any other substantive evidence to suggest their implication in the present case.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, 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 the learned C.J.M., Begusarai, in connection with Barauni P.S. Case No. 379 of 2016.

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(Sudhir Singh, J)

