

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60423 of 2018

Arising Out of PS.Case No. -21 Year- 2018 Thana -ALAMNAGAR District- MADHEPURA

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1. Mukesh Kumar @ Munna S/o Jaikant Singh
2. Vijay Kumar @ Bijo Singh S/o Vidya Singh @ Bidhya Singh both
resident of village - Khapur, P.S. Alamnagar (Ratwara O.P.), District -
Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mr. Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-10-2018 The petitioners are in custody since 18.07.2018 in
connection with Alamnagar (Ratwara O.P.) P.S. Case No. 21 of
2018, registered for offences punishable under Sections 302 and
120(B)/34 of the Indian Penal Code.

Allegation as per F.I.R. is of causing death of son of
the informant. Petitioners are not named in the F.I.R.

Submission of learned counsel for the petitioners is
that the petitioners are not named in the F.I.R., later on, their
names transpired during course of investigation. Further
submission is that after more than two months and six days, the
statement of the informant and his family members were recorded,
which also creates a suspicion about his complicity in this case



and the petitioner is in custody since 18.07.2018.

Heard learned A.P.P. as well as learned counsel for the informant, they have opposed the prayer for bail of the petitioners stating that in the statement recorded under Section 161 Cr.P.C., the petitioners were named by the informant, which is just after a day of the occurrence and they have also criminal antecedents.

Having heard both sides, in view of the facts and circumstances as stated above and also considering that nothing specific against the petitioners, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 25,000/- (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Uda-Kishunganj, District Madhepura, in connection with Alamnagar (Ratwara O.P.) P.S. Case No. 21 of 2018, with following conditions:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make themselves



available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail.

(Vinod Kumar Sinha, J)

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