

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40888 of 2018

Arising Out of PS.Case No. -579 Year- 2014 Thana -Motihari Town District- Eastchampan
(Motihari)

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1. Sikandara @ Sikindra S/o Shambhu Pd.
2. Sumitra Devi W/o Kartik Pd. Both are R/o Village Gandhi Nagar,
Ramna, Ward No. - 3, P.S. Town Motihari, Distt - East Champaran, Present
Back of Amber Hotel and Gopal Sah High School, P.S. - Nagar, Distt - East
Champaran.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioners : Mr. Vinod Gautam, Advcoate

For the Opposite Party : Dr. Mrityunjaya Kr.Gautam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 24-09-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The Petitioner seeks regular bail in connection with
Nagar P.S.Case No. 579 of 2014 registered for offences
punishable under Sections 302 and 201/34 of the IPC.

Allegation against the petitioners as per FIR is that
the father of the informant was traceless since night and when
enquired into the matter it has come that a lady, who is tea seller
disclosed that he left at 10 P.M. in the night to his house and when
he further enquired on next date, son of the lady, Sikandar and
Ranjit became annoyed and ready to fight with him and on search



on the next date the dead body of his father was found floating in pond near Janpul bridge.

Submission of the learned counsel for the petitioners is that there is no eye witness of the occurrence and petitioners have been falsely implicated in this case and the petitioners are in custody since 09.05.2018 and they are ready to abide all the conditions imposed upon them.

Heard learned A.P.P also apposed the prayer for bail and due the kind attention towards Paragraph Nos. 63 and 65 of the Case Diary that the petitioners were present at the shop of the lady (petitioner No. 2) and thereafter the dead body of the deceased was found from the pond.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Motihari in connection with Nagar P.S.Case No. 579 of 2014, subject to the 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) It is made clear that if petitioners found involved in any of the like offences, in future, prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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