

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63339 of 2017

Arising Out of PS. Case No.-267 Year-2017 Thana- RAMPUR District- Gaya

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1. Krishna Saw, Son of Late Gopal Saw
 2. Malo Devi, Wife of Late Gopal Saw
- Both resident of Village- Narayan Gardh, P.S.- Rampur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kumar Sinha

For the Opposite Party/s : Smt. Anusuiya Jaiswal

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 12-02-2018 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail in connection with Rampur P.S.
Case No. 267 of 2017 for offences punishable under Sections
302/34 of the Indian Penal Code and Section 27 of the Arms
Act.

The prosecution case, as lodged by the informant, is
that while he was along with his daughter and son-in-law, the
petitioners along with three other persons intercepted and
one Ranjit Saw fired on the head of his son-in-law, who
succumbed to the injury. Allegation upon petitioner no. 1 is
that he pointed pistol on the informant and petitioner no. 2
caught hold of the daughter of the informant.



It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal history and both parties belong to the same family. He submits that the main assailant is one Ranjit Saw and no overt act has been committed by the petitioners. He further submits that charge-sheet has already been submitted, there is no allegation of tampering with the prosecution witnesses by the petitioners and they are languishing in judicial custody since 21.08.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Rampur P.S. Case No. 267 of 2017, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioners having sufficient immovable property, who will file an affidavit stating his relationship with the petitioners.
- (ii) Petitioners will appear before the learned court



below during trial as and when required and failure to appear
on two consecutive dates without assigning any reason will
entail cancellation of their bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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