

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.66995 of 2018

Arising Out of PS. Case No.-261 Year-2018 Thana- BRAHMPUR District- Buxar

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1. Lav Paswan S/o Late Mukhlal Paswan
2. Raju Paswan S/o Vishwamitra Paswan Both are R/o Village-
Kopawan,P.S. Koransarai,Distt.-Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan

For the Opposite Party/s : Mr. Sri Anil Kumar Singh 1

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 06-11-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners, who are in custody, seek bail in connection with Brahmpur P.S. Case No. 261 of 2018 registered for the offence punishable under Sections 364, 34 of the Indian Penal Code and later on Sections 302, 201 and 120(B) of the IPC has been added.

Informant has alleged in the FIR that due to previous dispute on 25.09.2017 co-accused Geeta Devi has damaged the glass of Tempo of father of the informant. On 07.06.2018 brother of the informant had gone Raghunathpur Market but he did not return. It has been further alleged that FIR named accused with the help of other co-accused have committed kidnapping and murder of brother of the informant.

It has been submitted on behalf of the petitioners that petitioner are not named in the FIR. Their names have



come during the course of investigation and after confessional statement made by co-accused, namely Geeta Devi before the police. It has been further submitted that co-accused Geeta Devi in her confessional statement has stated that she had murdered the brother of the informant and for concealing the dead body thrown on the railway track. Petitioners have no criminal antecedent and they are in custody since 06.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Buxar, in connection with Brahmpur P.S. Case No. 261 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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