

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74214 of 2018

Arising Out of PS. Case No.-320 Year-2018 Thana- RAJAON District- Banka

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1. Doman Harijan @ Domni Harijan, son of Late Bothri Harijan.
 2. Manohar Harijan, Son of Domni Harijan.
 3. Bali Harijan, Son of Domni Harijan.
 4. Bihari Harijan, son of Domni Harijan
 5. Puja Devi, wife of Manohar Harijan.
- All are resident of village- Harijan Tola, Khaira, Police Station-
Rajaun, District Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anjum Perveen, Advocate
For the Opposite Party/s : Mr. Sri Kalyan Shankar (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 13-12-2018 Heard learned counsel for petitioners and learned
counsel for the State.

Petitioners, who are in custody, seek bail in
connection with Rajaun P.S. Case No. 320 of 2018 registered
for the offences punishable under Sections 302/34 of the Indian
Penal Code.

Informant has alleged in her fardbeyan that her son
had gone outside in the night to attend the call of nature and
meanwhile the persons named accused in the F.I.R. came and
inquired upon the sale deed and about his son but he did not
return and she thought he may have gone to his sasural but in
the next morning the dead body of his son was found near
Railway track and she suspected that F.I.R. named accused
because of land disputed killed her son.

It has been submitted on behalf of the petitioners



that they are innocent and have committed no offence. They have been falsely implicated in this case mere on suspicion and except suspicion there is no any other incriminating material against them. There is land dispute between the parties. Petitioners have no criminal antecedent and they are in custody since 30.07.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioners named above be released on bail upon 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, Banka, in connection with Rajoun P.S. Case No. 320 of 2018, subject to conditions:

- (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 properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and their absence on two consecutive dates without sufficient reasons, their bail bond shall be cancelled by the court below.
- (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)

Rajiv/Manoj

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