

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45903 of 2018

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1. Birendra Kumar @ Birendra Kumar Das @ Birendra Das Son of Poshan Das @ Panchan Das @ Pochan Das, resident of Village- Mohuwa, Police Station- Katoriya, District- Banka.

2. Harendra Das @ Harendrar Das Son of Bhudeo Das, resident of Village- Dhakwa, Police Station- Fullidumar (Amarpur), District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Balram Kapri

For the Opposite Party/s : Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 13-09-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in a case registered under Sections- 302/34 of the Indian Penal Code.

The prosecution case, in brief, is that accused persons attempted to commit rape with the informant's daughter and when protest was made, the informant's daughter was done to death by hanging.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 31-08-2016 and the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The



petitioners have falsely been implicated in the present case. Charge sheet has already been submitted in this case. The witnesses in paragraphs-10, 11, 12, 13, 14, 15 of the case diary have stated that the deceased had committed suicide. The petitioners are co-villagers. They have no concern with the alleged occurrence.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released 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, Banka in connection with Amarpur (Phulidumar) P.S. Case No. 376 of 2016.

(Sudhir Singh, J)

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