

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63402 of 2017

Arising Out of PS.Case No. -304 Year- 2017 Thana -CHHATAPUR District- SUPAUL

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1. Sushil Paswan, S/o Jayram Paswan,
2. Fulo Sah S/o Late Sattar Sah, Both 1 and 2 R/o Village- Katahi, P.S.-
Chhatapur, Distt.- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha

For the Opposite Party/s : Mr. Sri S.M. Rahman

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 26-02-2018 Heard learned counsel for the petitioners, learned counsel
for the informant and learned Additional Public Prosecutor for the
State.

The petitioners are in custody in connection with
Chhatapur P.S. Case No. 304 of 2017, a case under Section 302/34
of the Indian Penal Code and Section 27 of the Arms Act.

The petitioners are under suspicion to have committed
murder of the husband of the informant for the reason that the
deceased was opposing the criminal activity of the petitioners.

Learned counsel for the petitioners submits that
petitioners have got no criminal antecedent. Suspicion, however
strong, can not take the place of proof. Therefore, I do not think it
appropriate to detain the petitioner further as under-trial prisoner.



Learned counsel for the informant opposed the prayer for bail.

Finding substance in the aforesaid submission, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Chhatapur Police Station Case No. 304 of 2017 with condition that the petitioners shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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