

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34858 of 2018

Arising Out of PS.Case No. -60 Year- 2018 Thana -BACHWARA District- BEGUSARAI

- =====
1. Rajendra Rai, Son of Late Bhajju Rai
 2. Uttam Kumar Rai @ Uttam Rai, son of Ramayan Rai, Both are residents of village - Chamtha Chakki, P.S. Bachhawara, District Begusarai.
- Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Usha Kumari Singh

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 14-08-2018

Heard learned counsel for the petitioners and

learned APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 302, 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

One Munna Rai informed to the informant of this case that murder of his brother has been committed by causing firearm injury. Munna Rai was also present at the time of occurrence. He also claimed to have fired. The informant suspected that the petitioners and others named in the FIR, have committed the murder for old land dispute.

Submission of learned counsel for the petitioners is that Munna Rai has not disclosed the name of the petitioners either to the informant or in the confessional statement before the



police as Munna was himself made an accused in this case. He simply stated that the petitioners and others, due to old land dispute, had hired the criminals who committed the murder. Moreover, there is no other eye-witness to claim the identity of the assailants of the deceased.

Learned counsel for the State opposed the prayer for bail.

Considering the fact that there is no substantial material against the petitioners, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bachhawara Police Station Case No. 60 of 2018, subject to the 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 as well as condition that both the bailors shall be resident of within the territorial jurisdiction of the learned court below.

(Birendra Kumar, J)

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