

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17580 of 2018

Arising Out of PS. Case No.-122 Year-2017 Thana- MANSAHI District- Katihar

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1. Anil Pandit, S/o Late Sita Ram Pandit , R/o Village- Kathghar Durgapur, P.S.- Pranpur, District- Katihar.
 2. Jitan Uraon S/o Late Bhola Uraon,
 3. Jham Lal Uraon S/o Late Dukhi Uraon, Both R/o Village- Bhakhripur, P.S.- Mansahi, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Sri Rajendra Singh Shastriji

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

10 26-07-2018

Heard learned counsel for the petitioners, the learned APP for the State as well as learned counsel appearing on behalf of the informant.

Petitioners, already in custody, seek bail in connection with Mansahi P.S. Case No.122 of 2017 registered under Sections 302/34 of the Indian Penal Code.

Allegation in brief is that the informant saw these petitioners escaping away near a pond and found his father in injured condition; the father of the informant disclosed the name of these petitioners who assaulted him and he succumbed to injury. The father of the informant also disclosed that the petitioners had come for committing theft, when he resisted then he was assaulted by them.

Learned counsel for the petitioners submits that the



informant is not the eye witness, there is no statement of the deceased recorded by the police, had there been any intention of committing theft, the petitioners would have committed theft and would not have killed anyone and there is no allegation that any theft was committed. It is further submitted that during investigation, it transpired that the deceased had the background of criminal activities as he used to commit theft and the petitioners have been falsely implicated in this case, moreover these three petitioners have no criminal antecedent; whereas the learned counsel for the informant opposes the prayer of bail of the petitioners and submits that the deceased had six injuries over his body.

Having considered the aforesaid facts and circumstances and the nature of evidence, petitioners, namely, Anil Pandit, Jitan Uraon and Jham Lal Uraon are directed to 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 ACJM-VI, Katihar in connection with Mansahi P.S. Case No.122 of 2017.

(Arun Kumar, J)

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