

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61675 of 2018

Arising Out of PS. Case No.-240 Year-2018 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Poshan Singh, S/o Paras Singh,
 2. Rajan Kumar Singh S/o Kameshwar Singh, Both R/o Vill.- Pathhauliya, P.S.- Muffasil, District- East Champaran.
 3. Dhruv Prasad S/o Late Ram Lochan Prasad, R/o Vill.- Machaha, P.S.- Muffasil, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar @ Sonu Babu, Adv
For the Opposite Party/s : Smt. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 05-11-2018 Heard learned counsel for petitioners and learned
counsel for the State.

Petitioners seeks bail in **Muffasil P.S. Case No. 240 of 2018** registered for the offence punishable under Sections 147, 148, 149, 302, 201, 120B of the Indian Penal Code and Section 27 of the Arms Act.

Informant in his written complaint has stated that when he was returning home along with his brother on motorcycle, FIR named accused persons stopped them and started assaulting, in the meantime Informant succeeded to flee away and when he alongwith his villagers came at the spot his brother was not found there. In the night at about 3:00 am police



informed the Informant that the dead body of his brother has been found. Petitioner has suspected that his brother has been killed by the FIR named accused persons.

It has been submitted on behalf of the petitioners that they have committed no offence and have been falsely implicated in this case. This case is counter blast of Muffasil P.S. Case No. 238 of 2018. Similarly, situated co-accused person Ajay Kumar Singh has been granted bail by a co-ordinate bench of this Court vide order dated 26.10.2018 in Criminal Miscellaneous No. 63797 of 2018. Petitioner no. 1 is in custody since 01.06.2018 and petitioner nos. 2 and 3 are in custody since 26.05.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate-Motihari, East Champaran**, in connection with **Muffasil P.S. Case No. 240 of 2018**, with following 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 represented on each and every date fixed by the court.

(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)

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