

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65855 of 2018

Arising Out of PS. Case No.-115 Year-2018 Thana- JALALGARH District- Purnia

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1. LAXMI DAS @ RAMCHI @ LAXMI NARAYAN DAS,
Son of Late Chattu Das,
2. Jitendra Sharma @ Jitender Sharma, Son of Late Puhup
Lal Sharma,
Both resident of Village- Chak, P.S.- Jalalgarh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with

Criminal Miscellaneous No. 66844 of 2018

Arising Out of PS. Case No.-115 Year-2018 Thana- JALALGARH District- Purnia

Birendra Singh @ Hatta @ Suren Son of Late Sadanand Singh, Resident of
Village-Chakhat Ward no. 4, P.S. Jalalgarh, District Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In Criminal Miscellaneous No. 65855 of 2018)

For the Petitioner/s : Mr. Jagdish Prasad Bhagat, Advocate.

For the Opposite Party/s : Mr. Sri Binod Kumar 3, A.P.P.

(In Criminal Miscellaneous No. 66844 of 2018)

For the Petitioner/s : Mr. Vindhya Keshri Kumar, Sr. Advocate

Mr. Ravi Shankar Pathak, Advocate.

For the Opposite Party/s : Mr. Rajendra Singh Shastriji, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

4 17-12-2018 Heard learned counsel for the petitioners and the

State.

The petitioners seek bail in Jalalgarh P.S. Case No.

115 of 2018 instituted for the offence under Sections 363, 365,

370, 302, 201 of Indian Penal Code and Section 120(B)/34 of



the Indian Penal Code.

It is alleged in the written report that *Mausi* of the informant namely, Mala Devi and Kalawati Devi had gone to Jalalgarh market from their house. Thereafter, they became traceless. Initially the case was registered for the offence under Section 365 and 370 of the Indian Penal Code. Subsequently, Section 302 and 120(B)/34 of the Indian Penal Code has been added after recovery of dead body.

Counsel for the petitioner of Cr. Misc. 66844 of 2018 submits that petitioner is not named in the written report. His name has come during investigation on the basis of statement of spy in paragraph 32 of the case diary. Thereafter, the dead bodies of the deceased has been recovered at his instance. The name of petitioner of Cr. Misc. 65855 has been taken by co-accused Birendra Singh @ Hatta (petitioner of Cr. Misc. 66844 of 2018) in his confessional statement before the police. Counsel for the petitioner further submits that other co-accused persons with similar allegation have been granted bail by coordinate Bench of this Court vide order dated 26.11.2018 and 30.11.2018 passed by this Court in Cr. Misc. 67490 of 2018 and 68997 of 2018 respectively.

Considering the aforesaid facts and circumstances of



the case, prayer for bail of the petitioners is allowed. Let the petitioners above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with Jalalgarh P.S. Case No. 115 of 2018, subject to the condition that both the bailors will be close relatives of the petitioners.

(Sanjay Priya, J)

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