

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28459 of 2018

Arising Out of PS. Case No.-17 Year-2012 Thana- SATHI District- West Champaran

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1. Daya Kishore Prasad @ Daya Kishore Prasad Kushwaha Son of Prabhu Kushwaha
 2. Krishna Prasad Kushwaha @ Braj Kishore Prasad Kushwaha son of Shambhu Prasad Kushwaha both residents of Village - Bhataura, P.S. Sathi, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma

For the Opposite Party/s : Mr. Sri Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-05-2018 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Sathi Thana P.S. Case No. 17 of 2012, registered for the offence punishable under Sections 364, 302, 201 and 120B/34 of the Indian Penal Code.

The case of the prosecution is that the accused persons had come to the house of the informant in the night of the date of occurrence and had kidnapped the brother-in-law of the informant and on the next day, the dead body of the said brother-in-law of the informant was found on the railway line.

The learned counsel for the petitioners submits that



the police has also submitted final form as against the petitioners herein and other accused persons which shows that the petitioners and other accused persons have been falsely implicated in the present case. The learned counsel has further submitted that the co-accused person has already been granted anticipatory bail by an order dated 02.11.2017 passed in Criminal Miscellaneous No. 32076 of 2017 while the petitioners are languishing in jail since 05.03.2018. It is further submitted that the petitioners are having a clean antecedent.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioners on regular bail.

Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M., 1st Class, Bettiah, West Champaran in connection with Sathi P.S. Case No. 17 of 2012.

(Mohit Kumar Shah, J)

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