

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37187 of 2018

Arising Out of PS.Case No. -122 Year- 2017 Thana -CHAUTHAM District- KHAGARIA

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1. Shambhu Singh, S/o Late Rohin Singh,
2. Kare Singh, S/o Lakhan Singh,
Both R/o Village- Patel Nagar, P.S.- Chautham, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Yogendra Kumar Singh(APP)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 28-06-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners, in the present case, are seeking regular bail in connection with Chautham P.S. Case No. 122 of 2017, registered for offences alleged under Sections 302/120(B)/34 of the Indian Penal Code.

Learned Counsel for the petitioners submits that the entire FIR is based on mere suspicion. As per the FIR one Sanoj Muni had given a telephone call and had talked with the husband of the informant, whereafter he had left his home saying that Sanoj Muni, Laddu Muni and Kare Singh were calling him to the other side of the river where arrangements were made for dinner. It is alleged that the husband of the informant left with his small size



boat but did not come back. Later on, his dead body was recovered on the bank of the river. Learned counsel for the petitioners submits that in the First Information Report altogether 9 persons have been named raising suspicion that they had killed the husband of the informant due to some prior enmity, however after perusal of the case diary a learned coordinate Bench of this Court had granted the regular bail to the co-accused Laddu Muni vide Cr.Misc.No.20097 of 2018. Similarly, the co-accused Ram Kishore @ Ram Kishore Muni has been granted bail by another Bench of this Court in Cr. Misc. No. 57604 of 2017. Learned counsel submits that these petitioners have no criminal antecedent and have falsely been implicated in the present case.

Learned APP for the State is present. However, similarity with the case of the co-accused Laddu Muni and Ram Kishore Muni seems to be there and that similarity aspect has not been denied.

Considering the facts and circumstances of the case whereunder the similarly situated co-accused Laddu Muni and Ram Kishore Muni have been granted regular bail by two different coordinate Benches of this Court and that the petitioners have no criminal antecedent, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs.15,000/- (Fifteen thousand)



each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Khagaria in connection with Chautham P.S. Case No.122 of 2017, subject to the conditions U/S 437(3) Cr.P.C. and further condition that the petitioner shall cooperate in course of trial by putting appearance on each and every date fixed in the matter. Two consecutive defaults in putting appearance in course of trial shall invite cancellation of bail bond of the petitioners by the court below without waiting for any application on behalf of the prosecution.

(Rajeev Ranjan Prasad, J)

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