

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4536 of 2019

Arising Out of PS. Case No.-320 Year-2018 Thana- BIHIA District- Bhojpur

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1. Babita Devi w/o Amit Kumar, r/v-Englishpur, P.S.-Sikrul, District-Buxar.
2. Chandni Kumari, d/o late Rupchand Nut, r/Village – Malliya Bag, P.S.-
Dawath, District-Rohtas.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh
For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-02-2019 Heard the learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners seek bail in Bihiya P.S. Case No.
320/2018, instituted for offences under Section(s) 302, 201 and
120(B)/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
petitioners are not named in the written report.

It is alleged in the written report that nephew of the
informant had proceeded on 19.08.2018 from village
Damodarpur to Ara for taking admission in Intermediate. On
20.08.2018 at about 12:00 P.M. in the way nephew of informant
called his mother on mobile. On the same day at about 4:00
P.M. mother of nephew of informant received call from



unknown person that her son has died and his dead body is lying near Bihiya Kotha. Thereafter informant and other proceeded to Bihiya and found dead body of the deceased on the road.

Learned counsel for the petitioners has submitted that name of these petitioners has come during investigation on the basis of statement given by one Guriya Devi who disclosed that neighbouring people had knowledge about the occurrence. Thereafter police implicated these petitioners on the basis of statement of Sanjay Kumar, Sunny and Ram Lal Yadav, who were arrested by the police on the basis of information given by spy.

The other co-accused has already been granted bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 67890/2018 dated 27.11.2018.

Petitioners are in custody since 25.08.2018.

Considering the aforesaid facts and circumstances, prayer of the petitioners for grant of bail 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 the learned **5th Additional Chief Judicial Magistrate, Ara** in connection with **Bihiya P.S. Case No. 320/2018**, subject to the conditions that



both the bailors shall be the close relative of the petitioners.

(Sanjay Priya, J)

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