

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.232 of 2019

Arising Out of PS. Case No.-131 Year-2018 Thana- CHAKIA District- East Champaran

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1. Vijay Rai, son of Darshan Rai
 2. Kamlesh Rai @ Kamalesh Rai, son of Darshan Rai
 3. Darshan Rai, son of Late Jagdeo Rai
- All resident of Village- Ganesh Sirisiya, P.S -Chakiya, District.-East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 06-02-2019 Heard learned counsel for petitioners and learned
counsel for the State.

Petitioners, who are in custody, seek bail in connection with Chakiya P.S. Case No. 131 of 2018 registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

Informant is the father of deceased, who in his written complaint has stated that he had married his daughter Indu Devi with brother and son of petitioners 9 years earlier and on 18.06.2018 when he came to the matrimonial house of his daughter he could not find her and from the villagers he came to know that she has been killed on 17.06.2018 at 9:00



A.M. and thereafter her dead body has been concealed and upon search her body was recovered which was buried in the field of husband of deceased.

It has been submitted on behalf of the petitioners that they are innocent and have committed no offence. They have been falsely implicated in this case and they are living separately and were not concerned with the affairs of the family of his brother and son. There is nothing in entire investigation which even remotely suggest the involvement of petitioners in the crime. They have no criminal antecedent. Petitioner no. 1 is in custody since 10.10.2018 and petitioner nos. 2 & 3 are in custody since 14.09.2018

Considering the aforesaid fact and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -13th, Chakiya, East Champaran, in connection with Chakiya P.S. Case No. 131 of 2018, subject to 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 properly represented on each and every date fixed by the court and shall remain physically present as



directed by Court and his absence on two consecutive dates without sufficient reasons, their bail bond shall be cancelled by the court below.

(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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