

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13152 of 2019

Arising Out of PS. Case No.-420 Year-2018 Thana- MADHAURAH District- Saran

1. Upendra Rai Son of Chhatu Rai R/o village- Shilhawari ,P.S- Marhowrah, Dist- Saran at Chapra
2. Kameshwar Rai Son of Late Ram Dahin Rai R/o village- Shilhawari ,P.S- Marhowrah, Dist- Saran at Chapra

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-07-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in a case registered under
Sections 302, 120(B), 34 of the Indian Penal Code.

The prosecution case, in brief, is that deadbody of a lady
was found lying on the railway track. Later on, the dead body
was detected to be wife of petitioner No. 1.

It has been submitted on behalf of the petitioners that the
petitioners have got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioners. The petitioners are in custody since 05-09-2018
Charge sheet has already been submitted. The name of the



petitioners transpired in this case merely on the basis of suspicion. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioners in the present case. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the participation of the petitioners in the alleged offence.

On behalf of the State, it is submitted that the petitioners are not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on 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-VIII, Saran at Chapra in connection with Marhowrah P.S. Case No. 420 of 2018.

(Sudhir Singh, J)

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