

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12519 of 2019

Arising Out of PS. Case No.-365 Year-2018 Thana- CHAINPUR District- Kaimur (Bhabua)

BALLOO BIND, Son of Lalloo Bind, Resident of Village - Lohara, P.S. -
Chainpur, District - Kaimur at Bhabua

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 15484 of 2019

Arising Out of PS. Case No.-365 Year-2018 Thana- CHAINPUR District- Kaimur (Bhabua)

SANJAY BIND, Son of Vijayi Bind, R/o village- Lohara, P.S. - Chainpur,
District - Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 12519 of 2019)

For the Petitioners : Mr. Tribhuwan Narayan, Advocate
For the Informant : Mr. Kiran Kumari Sharma, Advocate
For the Opposite Party : Mr. Choubey Jawahar, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 15484 of 2019)

For the Petitioner : Mr. Rajani Kant Pandey, Advocate
For the Informant : Mr. Kiran Kumari Sharma, Advocate
For the Opposite Party : Mr. Ram Naresh Ray, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 08-05-2019 Heard learned counsel for the petitioners and

learned APP for the State.

Petitioners seek bail in a case registered for the

offences punishable under Sections 364/34, 302 and 201/34 of

the Indian Penal Code.

According to FIR, four persons named in the

FIR including petitioner Ballo Bind took the son of the

informant with them and thereafter dead body of the son of the



informant was noticed. Suspicion is that they had kidnapped and committed murder of the son of the informant. During investigation, petitioner Sanjay Bind confessed before the police wherein he stated that initially they served liquor to the deceased and thereafter gagged him to death and threw the dead body in the river. The postmortem report reveals that the Doctor found antemortem injury caused by hard and blunt substance and the death was due to excessive haemorrhage and shock which resulted in cardiac failure.

Submission is that the deceased might have sustained injury by fall in the dam and due to land dispute, false allegation is there. No witness has supported before the police that the petitioners were seen along with the deceased.

Learned counsel for the informant opposed the prayer for bail.

Considering the fact that there is no substantial material against the petitioners and investigation of the case is already complete against them, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Chainpur Police Station



Case No. 365 of 2018, subject to the condition that the petitioners shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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