

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13806 of 2019

Arising Out of PS. Case No.-474 Year-2018 Thana- BIHPUR District- Bhagalpur

1. Sk. Mokim Son of Sk. Mannu
2. Sk. Zawed Son of Sk. Mokim
Both R/o village- Milki, P.S.- Bihpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. Advocate
		Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 21-06-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are languishing in custody for the offences punishable under Sections 302/120B/34 of the Indian Penal Code.

According to FIR, when the informant heard the sound of firing he went towards the place of firing and saw that near the house of Sarpanch, the deceased brother of the informant, was lying and at the same time three persons were seen on a motorcycle. The petitioners were identified among three persons. The informant claimed that due to land dispute between the parties they had committed the murder.

Submission is that there is no direct evidence that the



petitioners were assailants of the deceased nor the informant or any other witnesses stated that the petitioners were carrying any fire-arm. Only suspicion was raised as land dispute is there between the parties. The petitioners have got no criminal antecedent. They are in custody since 08.01.2019. Investigation of the case is already complete.

Considering the entire facts, let the petitioners, above named, be released on bail **after framing of the charges** on furnishing bail bond of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Bihpur P.S. Case No.474 of 2018, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioners shall fully cooperate with the 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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